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MACKENZIE VALLEY PIPELINE INQUIRY

IN THE MATTER OF AN APPLICATION BY CANADIAN ARCTIC  
GAS PIPELINE LIMITED FOR A RIGHT-OF-WAY THAT MIGHT  
BE GRANTED ACROSS CROWN LANDS WITHIN THE YUKON  
TERRITORY AND THE NORTHWEST TERRITORIES FOR THE  
PURPOSE OF THE PROPOSED MACKENZIE VALLEY PIPELINE

and

IN THE MATTER OF THE SOCIAL, ENVIRONMENTAL AND  
ECONOMIC IMPACT REGIONALLY OF THE CONSTRUCTION,  
OPERATION, AND SUBSEQUENT ABANDONMENT OF THE ABOVE  
PROPOSED PIPELINE.

(Before the Honourable Mr. Justice Berger, Commissioner)

Fort McPherson, N.W.T.

July 9, 1975

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PROCEEDINGS AT COMMUNITY HEARINGS

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Volume 12

347  
M835  
COMMUNITY  
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CANADIAN ARCTIC  
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July 9, 1975

Fort McPherson , N.W.T.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

THE COMMISSIONER: Well, I think ladies and gentlemen, we will call the Hearing to order today. And give to anyone this afternoon an opportunity to speak who wishes to. And some of those who spoke yesterday said they were going to have something further to say today. And I want to hear from them, as well as from those of you who haven't yet had an opportunity to say anything.

MR. FRANCIS: Good afternoon.

THE COMMISSIONER: Mr. Bell?

MR. BELL: Perhaps this would be a good opportunity just to take a few minutes and put our land use maps in. For the purpose of doing this, I would like the assistance of Neil Colin who has already been sworn.

THE COMMISSIONER: Yes.

MR. BELL: You were involved in the preparation of the maps that we see on the wall here?

NEIL COLIN: Resumed.

MR. COLIN: Yes.

Q Could you tell us what the extent of your involvement was and what you did?

A Well, first of all, I work for Indian Brotherhood for about a year and a half. And when I was hired, I was hired as a community devel-





1 opment. And later, they wanted me to do a land research  
2 with the Loucheux people here in Fort McPherson.

3  
4 Q Did you interview any of  
5 the trappers whose trap lines are recorded on the map  
6 today?

7 A Yes.

8 Q Do you remember who you  
9 interviewed?

10 A Well, I interview 27  
11 people altogether.

12 Q Well, perhaps then before  
13 I ask you to describe the map, you could go up to the  
14 map and, if you have a pointer--okay. Could you go up  
15 to the map then please?

16 A Well, first of all, Mr.  
17 Berger, Chief and the Band Council and ladies and  
18 gentlemen. I did this work as working for Indian  
19 Brotherhood as a land research. And I did 27 people.

20 THE INTERPRETER: Neil, could  
21 you translate for yourself in Loucheux, if you could?  
22 It would save a lot of time here.

23 A Okay, I'll try. First I  
24 will say it in English. This is the map that I did  
25 with the Loucheux people on to Dawson  
26 City in Yukon. It's down here and this is the Peel  
27 River going down to Mackenzie. And there's Arctic Ocean  
28 up here. And then it goes as far as Anderson River,  
29 and up to ahead of Little Wooden River, and ahead of  
30 Arctic Red River. And just below Old Crow, where the





1 boundary line, where Alaska is. And people travel up  
2 in the Arctic Ocean towards as far as Herschel Island.  
3 And it's too high to put it up so we'll put it down. And those  
4 black marks you see, that's where people travel in  
5 the river.

6 And all these little black  
7 marks towards Richardson Mountain, down to Arctic  
8 Ocean, every little black mark, I guess, is a river.  
9 Like Stoney Creek, Vittrewka River, Road River, Trail  
10 Creek, Snake River, Bonnet Plume River, Hart River,  
11 Blackstone River, and ahead of Peel River, on the other  
12 side of Richardson Mountain, there is Porcupine River,  
13 Bear River, Johnson Creek, Eagle River, Rock River,  
14 and beside that, here is Fort McPherson and this is  
15 the MacKenzie Delta. Going into Arctic Ocean.

16 You can see Fort McPherson  
17 here, Aklavik here, Inuvik here, and Arctic Red  
18 River. And this is Mackenzie River.

19 And I did this mapping with  
20 the people, mostly old people and sometimes when I  
21 map them, they don't understand. They can't read the  
22 map. But they tell me where they've been, and I ask  
23 them, suppose I ask them this is Eagle River. And  
24 this is Snare River and this is Rock River. By that,  
25 they show me where they have been.

26 I also travel myself a few  
27 places, other sites as far as Eagle River, Fish Lake,  
28 Porcupine, way up the Peel River, and all around Rat  
29 River area. And a few places I know, as far as about  
30 150 miles up the Peel River. I know myself. And I



1 have been travelling with dog team myself. And I have  
2 been moving around in the bush, long ago when they used  
3 to move in the bush with their families. And I know a  
4 lot of the creeks. That is, they name them--they only  
5 call them in Loucheux. By that, I know how to do this.

6 Like one place is, some old  
7 people as far as they remember is in 1800. I know there  
8 is one old man, my father. He is born 1884. And when  
9 he was young boy, about 1893, 1894, he said him and  
10 his father and his mother went up past Inuvik, went  
11 up through here to Sitidgi Lake in 1890-something. And  
12 they used to live around there with rabbits and moose,  
13 and then they come back one winter.

14 He say that most of the people  
15 go up to the Peel River in the Yukon.

16 MR. BELL: Can you tell us  
17 about how many people are represented by this map?  
18 How many trappers have their lines shown on this map?

19 A Well, I did 27 people.

20 Q So that's all of them,  
21 then?

22 A Yes. But they all go--  
23 it seems to be, same place those days. Everybody don't--  
24 some people don't, 27 people don't scatter all over.  
25 They all go together. And they have a head chief, and  
26 mostly they do it, they live around ahead of Eagle  
27 River. Or maybe, one winter, they live around Fish  
28 Lake. Maybe another winter they live around Hungry  
29 Lake. Or Hart River, and their own Blackstone River.

30 And then they make a trip down to





1 Dawson those days.

2 One thing I know--like yester-  
3 day, when old Andrew Kunnizzi was telling his story,  
4 he said he was--he came from Dawson in 1920, 1921--  
5 around here someplace towards the Dawson. That's where  
6 he was raised. From there they came over to Fort Mc-  
7 Pherson.

8 And these people on the map,  
9 they hunt, they trap and they fish. And they've been  
10 all over in Yukon, up the Peel, all over the place.

11 And after each one of them,  
12 I explain to them, what this map is about. And I ask  
13 them if they see any white man signs any place in the  
14 country, wherever they've been.

15 They say they see only some--  
16 some people say they've seen white man signs. That is,  
17 that is at Destruction City, it's here. That is one  
18 we call "Trih zhit tagoodii" in Loucheux.

19 They also say they saw a white  
20 man sign at Eagle River, and Destruction City. And I  
21 ask them, how come they're there. And they all tell  
22 me they found gold in Klondike in 1898. And the miners  
23 used to go up the Peel River and they used to go up  
24 by Destruction City. And one time, they froze  
25 in and they had to camp there. And then after the winter,  
26 they went over to Bear River and down to Fort Yukon.

27 And I tell some people go  
28 even around here, up just straight up from Point Sepa-  
29 ration in this country. I know, far as they go, that's  
30 from Arctic Red River, is Anderson River.





1 First of all, I would like to  
2 do a--there is all kinds of it here. First of all, I  
3 will take one of this. This is the one man that came  
4 from Dawson in 1920-1921, but he didn't last around  
5 Dawson area. And he moved in from Dawson to Fort Mc-  
6 Pherson in 1920 and 21. His name is Andrew Kunnizzi  
7 and he is sitting there.

8 Maybe I could read some of  
9 these, his story here. He said, "I start trapping when  
10 I was fifteen years old, with my parents' at Chapman  
11 Lake, Yukon Territory.

12 We do nothing by hunting and  
13 sell meat, moose, sheep and caribou in Dawson City. In  
14 spring we do hunt live fox for long time. We live for  
15 twenty years around Dawson, Yukon Territory area. We  
16 do all kinds of work around Dawson. I cut wood, deck-  
17 hand on steamboat, mining for gold.

18 I look after cattles, also I  
19 look after pigs. Helping blacksmith, sawmill, help to  
20 build boat and how to build steer wheeler, steam boat.

21 I do fish in Dawson in the fish  
22 wheel to catch King salmon. I hunt in winter, and in  
23 summer whenever I get a chance. I went to Fort Mc-  
24 Pherson from Dawson by dog team in 1914, with R.C.M.P.  
25 patrol.

26 I was just a kid that time.  
27 We meet some people around Wind River from McPherson ,  
28 also 35 miles above McPherson.

29 We pass spring in different  
30 place almost every spring in Yukon. Sometime at Chapman



1 Lake, Hart River, Blackstone River, Yukon Territory.  
2 Head of Ogilvie River , Yukon Territory.

3 I trapped in 1923--one river,  
4 Bonnet Plume River, Yukon Territory. We built skin  
5 boat 1923 spring,-- mouth of Mountain Creek, Yukon  
6 Territory. 1924, winter, I went back to  
7 Blackstone River by dog team.  
8 1925 to 1926, I stayed around Chapman Lake to hunt,  
9 trap, sell meat to traders in Dawson and Yukon Territory.

10 Winter 1927, I went back to  
11 McPherson by dog team by Wough Creek, then to Wind  
12 River in Yukon Territory.

13 Spring we built skin boat  
14 below Cannon. From Cannon, we drift to McPherson in  
15 1927. Now today they use mercury. 1928, after new  
16 year, we move by dog team to hunt, trap around Hungry  
17 Lake and Big Wind River, Yukon Territory. 1928 we  
18 go to Yukon to, in winter, to trap and hunt until 1935.

19 From 1935, I start making  
20 living around Fort McPherson on Delta. I start trading  
21 1936, every winter I get meat by hunting through Rat  
22 River, N.W.T. Also I fish at Road River in summer,  
23 for two summers, by fish wheel, 1938.

24 1939, Eagle River, winter time,  
25 hunt, trap, live in bush. 1939-40, he done the same  
26 thing in Eagle River. 1941, he done the same thing in  
27 Hungry Lake area. 1942, Caribou River, Yukon Territories.  
28 He done the same thing, hunting, trapping, living in  
29 the bush. 1943, Rock River.

30 Just to hunt, we went to Yukon





1 in 1944." Fish lake, he mean around here. There's Old  
2 Crow there and there is Richardson Mountain. That's the  
3 area he used to hunt for caribou.

4 "In 1945 winter, we went to  
5 Rat River to hunt caribou. In 1946 winter, we went to  
6 Caribou Mountain, Caribou Creek, we just hunt and live  
7 there." There's Caribou Creek here. Caribou River, hits  
8 the Peel. And Caribou Mountain around this area.

9 "1947 we hunt around Rock  
10 River, Yukon Territory. 1948 we done the same thing  
11 around Vittrewka River. That's the last time I go to  
12 mountain in winter. I live in the Delta since that time.

13 I trap in the Delta in spring  
14 time. In 1914 I went to Whitehorse, Yukon Territory  
15 in summer. I took from McPherson to Mayo, Yukon Terri-  
16 tory by dog team, 1942.

17 I killed grizzly bear, Stoney  
18 Creek and Satah Creek. A few I kill around Black River, Yukon Territo-  
19 I was to Fort Good Hope in 1944 summer by boat.

20 I was down to Circel from  
21 Dawson 1917. I hunt for beaver, sheep, moose." This is  
22 just one of the old timer.

23 Q Thank you very much, Neil.  
24 I take it that all of the trap lines shown on this map  
25 are for people who live in Fort McPherson?

26 A Yes.

27 Q And there's none from any  
28 other place, like Aklavik or Arctic Red?

29 A Well, there's--I know,  
30 Frederick Reelan(?) from Aklavik. He was doing the Aklavik.



1 And I done three people from Inuvik.

2 Q Those three people are  
3 marked on there?

4 A Pardon?

5 Q Those three people are  
6 shown on the map?

7 A Yes, yes.

8 Q All right. Fine, well  
9 thank you very much then.

10 A Yes. Could I mention one  
11 more thing? These little marks, to the shape of a  
12 triangle, it means that they have been camping there.  
13 Where people used to camp for years and years and years.  
14 Some of them are square with a black dot in the middle,  
15 that is where they had a cabin. But some cabins, I  
16 guess all of the cabin is rotten, nothing left. Just  
17 a foundation.

18 There is lots of people in the  
19 Loucheux people know all of this Delta. And they fish  
20 all over the place and they even take lots of fishes  
21 from the Mackenzie River. Also in Peel River and also  
22 on the different kind of lakes. Like one old man there,  
23 George Vittrewka. He said he know about half of Delta.  
24 And whenever he fly across to Inuvik by plane, any place  
25 he looks through the window, he says, that's the place  
26 I've been.

27 And people travel from Mc-  
28 Pherson to Dawson to Arctic, Red River, to Aklavik,  
29 down to Old Crow, all of this black mark. At the head of  
30 Arctic Red River, across from Point Separation to





1 Sitidgi Lake, down the coast, down to Herschel Island.  
2 And I know Peter Thompson made a trip from Herschel Island  
3 to Victoria Island. But it's not on the map. It's on  
4 the paper down here.

5 There is one tell me. I  
6 might as well mention his name is William MacDonald. He  
7 trap in the Yukon. He says, it doesn't matter wherever  
8 you go. You think nobody ever been in that creek or that  
9 country. He says, you have to see the ice. Somebody  
10 been there. He said he see a sign there. That's all.

11 Q Well, thank you very much,  
12 Neil. I should point out that the scale of the map is  
13 8 miles to the inch. And that they have the usual  
14 legend which explains that the intensity of the use is  
15 indicated by the thickness of the line.

16 I think these maps should be  
17 marked as an exhibit. And perhaps the map biography  
18 sheet that Neil Colin was referring to.

19 THE COMMISSIONER: Yes, they  
20 will be marked. The map as an exhibit, and the biography  
21 sheet numbered A to the exhibit.

22 (LAND USE MAP MARKED EXHIBIT C-31)

23 (BIOGRAPHY SHEET FOR LAND USE MAP MARKED EXHIBIT C-31-A)

24 (PLACE NAMES ON MAP MARKED EXHIBIT C-31-B)

25 THE COMMISSIONER: Mr. Bell,  
26 how many people were interviewed--

27 MR. BELL: According to--

28 THE COMMISSIONER: --about  
29 how many were interviewed?

30 A Well, before I said I



Phillip Blake

1 interviewed 27 people.

2 THE COMMISSIONER: 27?

3 A Yes. And I could have  
4 done more.

5 THE COMMISSIONER: And those  
6 represent people who trapped in the old days, and people  
7 who are still trapping and hunting and fishing today?

8 A Right, absolutely right.

9 THE COMMISSIONER: And you took  
10 27 as a sample of the extent of the use of the land today,  
11 is that what you did?

12 A Yes.

13 THE COMMISSIONER: The map says  
14 that the 27 people represent 30 per cent of the, of the  
15 men of native origin who are over 30.

16  
17 MR. BELL: I believe that  
18 is what it says on the legend, yes.

19 THE COMMISSIONER: Right, now  
20 I understand that. Thank you.

21 PHILLIP BLAKE: Sworn.

22 A: Mr. Berger, my  
23 name is Phillip Blake and I am a Treaty Indian from  
24 Fort McPherson. I have worked as a social worker here  
25 in Fort McPherson here for the past five and a half  
26 years. Now, before I go any further on, I would per-  
27 sonally like to welcome you to Fort McPherson. I hope  
28 you enjoy your stay here.

29 THE COMMISSIONER: We should  
30 have won that ball game.



1                   A: First, I would like to say  
2       I am not an old man, but I have seen many changes in my  
3       life. Fifteen years ago, most of what you see as Fort  
4       McPherson did not exist. Take a look around the com-  
5       munity now. And you will start to get an idea of what  
6       has happened to the Indian people here over the past  
7       few years.

8                   Look at the housing where  
9       transient Government staff live. And look at the  
10      housing where the Indian people live. Look at which  
11      houses are connected to the utilidor.           Look at  
12      how the school and hostel, the R.C.M.P. and government  
13      staff houses are right in the center of town. Dividing  
14      the Indian people into two sides.

15                  Look at where the Bay store  
16      is, right on top of the highest point of land.

17                  Mr. Berger, do you think that  
18      this is the way the Indian people chose to have this  
19      community? Do you think the people here had any  
20      voice in planning this community? Do you think they  
21      would have planned it so that it would divide them,  
22      pardon me.

23                  Do you think they would planned  
24      it so that it divided them and gave them a poorer stan-  
25      dard than the transient whites who come in, supposedly  
26      to help them? Take a look at the school here. Try to  
27      find anything that makes it a place where Indian values,  
28      traditions, and Indian culture is respected.

29                  It could be a school in the  
30      suburbs of Edmonton, Toronto or Vancouver. Do you think





1 Indian people would have chosen a building like this as  
2 a way to teach their children how to be proud of their  
3 Indian heritage?

4 Do you think Indian people  
5 chose to have their children taught that the only way  
6 to survive in the future is to become like the white  
7 man?

8 Look around you. Look at this  
9 building. Find out who the teachers are. Find out what  
10 they teach our children. Find out what regulations  
11 there are in this school, find out who decides these  
12 regulations. Who hires the teachers and who fires them.

13 This school is just a symbol  
14 of white domination and control. It is a part of a sys-  
15 tem set up to destroy Indian culture and to destroy  
16 our pride in our Indian heritage.

17 It is only part of that system.  
18 Look at some of the other parts. Do you think people  
19 chose to live in rental houses owned by the government,  
20 instead of in houses they built for themselves and owned  
21 by themselves? Do you think they chose to have a sys-  
22 tem of justice which often they can not understand and  
23 which does not allow them to help their own people, and  
24 deal with their own problems ?

25 A system which punishes the  
26 Indians for stealing from the Bay, but does not punish  
27 the Bay for stealing from the Indians? Do you think  
28 that they chose to become cheap labour for oil companies,  
29 construction companies and government? Instead of  
30 working for themselves and developing their own economy,



1 in their own way?

2 In short, Mr. Berger, can you  
3 or anyone else really believe that we Indian people are  
4 now living the way we have chosen to live? Can you  
5 really believe that we have chosen to have high rates  
6 of alcoholism, murder, suicide and social breakdown?  
7 Do you think we have chosen to become beggars in our  
8 own homeland?

9 Mr. Berger, you are well aware  
10 that hundreds of years ago, in southern Canada and in  
11 the United States, many Indian civilizations were des-  
12 troyed. In some cases, this was done simply by killing  
13 off the Indian, Indian people, I should say, who occu-  
14 pied the land, the land that was valuable to white  
15 settlers.

16 In other cases, it was done  
17 by restricting' the Indians to small reserves where they could no  
18 longer hunt, fish and make a living from their land.  
19 In all cases, it was pretty clear that whatever the  
20 white man wanted, the white man got.

21 When he wanted greater land  
22 for farming, he cleared off the trees and he cleared off  
23 the Indians. When he wanted to dig the gold, or minerals  
24 from the land, he killed the Indians who tried to defend  
25 their own land.

26 In James Bay, when the white  
27 man decided that he wanted to again play God and change  
28 the course of mighty rivers, so he could make money and  
29 power from then, he corralled the Indian people, the  
30 Indians, into reserves and flooded the Indian land. The





1 nations of Indians and Eskimos in the North have been  
2 slightly luckier.

3 For a while it seemed that we  
4 might escape the greed of the southern system. The  
5 north was seen as a frozen wasteland, not fit for the  
6 civilized ways of the white man. But that has been  
7 changing over the past few years.

8 Now the system of genocide  
9 practiced on our Indian brothers in the south, over the  
10 past few hundred years is now being turned loose on us,  
11 and our Eskimo brothers. "Don't be silly," you may say.  
12 "We are sorry about what we did in the past, we made some  
13 mistakes. But it's different now.

14 Look, we give you an education,  
15 houses and health services."

16 Mr. Berger, the system of  
17 genocide may have become a little more polished over  
18 the past few hundred years in order to suit the civilized  
19 tastes of the southern people who watch Lloyd Robertson  
20 on the National.

21 But the effect is exactly the  
22 same. We are being destroyed. Your nation is destroying  
23 our nation. What we are saying today, here and now is  
24 exactly what Louis Riel was saying roughly a hundred  
25 years ago.

26 We are a nation. We have our  
27 own land, our own ways and our own civilization. We  
28 do not want to destroy you or your land. Please do not  
29 destroy us.

30 You and I both know what happened



1 to Louis Riel. Yet now, a hundred years later, your  
2 Prime Minister is willing to say that Louis Riel was  
3 not all wrong. He is willing to say that, a hundred  
4 years later.

5 But is he willing to change  
6 the approach that destroyed Louis Riel? And his  
7 nation? And is now threatening to destroy us?

8 I am sure throughout your  
9 visits to native communities, Mr. Berger, that you have  
10 been shown much of the hospitality that is our tradition,  
11 as a people. We have always tried to treat our guests  
12 well, it never occurred to us that our guests would one  
13 day claim that they owned our whole house. Yet that  
14 is exactly what is happening.

15 White people came as visitors  
16 to our land. Suddenly they claim it as their land.  
17 They claim that we have no right to call it Indian  
18 land, land that we have occupied and used for thousands  
19 of years. Which just recently the white man has come  
20 to visit. And suddenly he claims it to be his own.

21 Is this is the great system of  
22 justice, which your nation is so proud of? Now look  
23 at what happened to France during the Second World War?  
24 Germany moved in and occupied the land that France  
25 claimed as her own.

26 At that time, Canada seemed  
27 willing to help a people whose land had been unjustly  
28 taken. Now, the same thing is happening to Indian  
29 nations of the north. Your nation has suddenly decided  
30 to move in and occupy land that is rightfully ours.



It suggests that we give up our





1 land and our resources to the richest nation in the  
2 world. Not the poorest.

3 We are threatened with genocide  
4 only so that the rich and the powerful can become more  
5 rich and more powerful.

6 Mr. Berger, I suggest that in  
7 any man's view, that is immoral . If our Indian nation  
8 is being destroyed so that poor people of the world  
9 might get a chance to share this world's riches, then  
10 as Indian people, I am sure that we would seriously  
11 consider giving up our resources.

12 But do you really expect us  
13 to give up our life, our lands so that those few people  
14 who are the richest and the most powerful in the world  
15 today can maintain and defend their own immoral position  
16 of privilege?

17 That is not our way.

18 I strongly believe that we do  
19 have something to offer your nation. However, something  
20 other than our minerals. I believe it is in the  
21 self-interest of your own nation to allow the Indian  
22 nation to survive and develop in our own way, on our  
23 own land.

24 For thousands of years, we  
25 have lived with the land, we have taken care of the land,  
26 and the land has taken care of us. We did not believe  
27 that our society has to grow and to expand and conquer  
28 new areas in order that we could fulfill our destiny  
29 as Indian people.

30 We have lived with the land,



1 not tried to conquer or control it, or rob it of its  
2 riches. That is not our way.

3 We have not tried to get more  
4 and more riches and power, we have not tried to conquer  
5 new frontiers or outdo our parents. Or make sure that  
6 every year that we are richer than the year before.

7 We have been satisfied to  
8 see our wealth as ourselves and the land we live with.  
9 It is our greatest wish to be able to pass this on,  
10 this land to succeeding generations in the same condition  
11 that our fathers have given it to us. We did not try  
12 to improve the land and we did not try to destroy it.  
13 That is not our way.

14 I believe that your nation  
15 might wish to see us, not as a relic from the past, but  
16 as a way of life. A system of values by which you may  
17 survive in the future. This we are willing to share.

18 If your nation chooses instead  
19 to continue to try and destroy our nation, then I hope  
20 you will understand why we are willing to fight so that  
21 our nation can survive. It is our world.

22 We do not wish to push our  
23 world onto you. But we are willing to defend it for  
24 ourselves, our children, and our grandchildren. If  
25 your nation becomes so violent that it would tear up  
26 our land, destroy our society and our future, and occupy  
27 our homeland, by trying to impose this pipeline against  
28 our will, then of course we will have no choice but to  
29 react with violence.

30 I hope we do not have to do that.





1 For it is not the way we would choose. However, if we  
2 are forced to blow up the pipeline, I hope violence--  
3 I hope you will not only look on the violence of Indian  
4 action, but also on the violence of your own nation  
5 which would force us to take such a course.

6 We will never initiate violence.  
7 But if your nation threatens by its own violent action  
8 to destroy our nation, you will have given us no choice.

9 Please do not force us into  
10 this position. For we would all lose too much.

11 Mr. Berger, I believe it is  
12 because I am a social worker here that I have, in a sense,  
13 had to make some sense out of the frustration and des-  
14 peration that people in this community and others along  
15 the valley are feeling. I have therefore tried to  
16 read as much as possible of other situations in Canada  
17 and in the world.

18 It is clear to me that the  
19 pipeline in Alaska has not been any part of progress,  
20 whatever progress may mean. Where progress should mean  
21 people getting greater controls over their own lives,  
22 greater freedom, the pipeline in Alaska appears to  
23 have driven people into the ground. Along with the  
24 pipeline.

25 Clearly, we do not want that  
26 here. Perhaps it is also because I am a social worker  
27 that I am aware that what steps my people may take in  
28 reaction to the building of a pipeline here.

29 Mr. Berger, it should be very  
30 clear by now what are the wishes of the people along  
the Mackenzie



1 Valley regarding the pipeline here. I do not believe  
2 you or anyone else could misunderstand what the native  
3 people of this valley are saying.

4 Obviously if we lived in any  
5 kind of a democratic system, there would be no further  
6 talk of Gas Arctic pipeline. The will of the people  
7 has been made very clear. If this consensus, if the  
8 will of the people is not respected, then I appeal to  
9 you and all people of southern Canada to respect and  
10 support us in our efforts to re-establish democracy and  
11 democratic decision making in our homeland.

12 I guess the question for southern  
13 Canada is simply which side are you on? Are you on  
14 the side of the people trying to find freedom and a  
15 democratic tradition? Or are you on the side of those  
16 who are trying to frustrate our attempts to find free-  
17 dom?

18 Are you on the side of those  
19 who are trying to frustrate our attempts to find freedom  
20 and who are, instead, trying to destroy the last free  
21 Indian nation?

22 Mr. Berger, I guess what I am  
23 really trying to say is, can you help us? And can we  
24 help you make sure that the will of the people is res-  
25 pected? After all, isn't that what--isn't that supposed  
26 to be what Canada once stood for?

27 Can we as an Indian nation  
28 keep, help Canada to once again become a true democracy?

29 Thank you very much, sir.

30 THE COMMISSIONER: Thank you,



1 Mr. Blake.

2 (WITNESS ASIDE)

3  
4  
5 THE COMMISSIONER: Do  
6 you need a break, Mr. Charlie?

7 MR. FRANCIS: He would like  
8 to have a break, yes.

9 THE COMMISSIONER: Well,  
10 sure, I understand that. And I am grateful to you,  
11 Mr. Charlie for the interpreting that you have done for  
12 us. Well, we'll take maybe a five or ten minute break  
13 and just relax for a minute.

14 (PROCEEDINGS ADJOURNED)

15 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

16 THE COMMISSIONER: Ladies and  
17 gentlemen, we will carry on again. And Mr. Charlie  
18 will continue with the translation of Mr. Blake's  
19 statement. So, carry on Mr. Charlie.

20  
21 THE COMMISSIONER: I would  
22 like that statement marked as an exhibit. Miss Hutchi-  
23 son, would you mark that as an exhibit?

24 (STATEMENT OF PHILLIP BLAKE MARKED AS EXHIBIT C-32)

25 JOHN ITSU: Resumed.

26 A: Good afternoon,  
27 ladies and gentlemen, Chief , and Band Counsellors.  
28 Mr. Judge Berger and staff, and CBC reporters.

29 My name is John Itsi and I am  
30 a small-time general contractor. I have been Vice-





1 President of the Indian Brotherhood for two years and  
2 Chief of the Fort McPherson band for two years.

3 Before I say my presentation,  
4 I would like to let the court reporters and news media  
5 from--stop them referring to people that make presen-  
6 tation at this Inquiry as radicals, militants and as  
7 far as Edmonton Journal went, they called me an "angry  
8 young chief" which sort of my reputation as bad as it  
9 is, but it went further, probably on across Canada.

10 I would like to tell you about  
11 when I was 18 years old, just out of school in  
12 Inuvik, I had to go hunting caribou. We went hunting  
13 caribou about a hundred miles from here. That is up  
14 Caribou Creek where they call it, Caribou Creek up in  
15 the Yukon.

16 And I had to go because one  
17 of my older brothers, was out hunting, I mean out working  
18 for the oil company. One of the oil companies. And  
19 my mother was alone and somebody had to go out and get  
20 meat for my smaller brothers and sisters. The  
21 weather was cold and it took us four days to get up to  
22 our destination. And two weeks later, we came back with  
23 a big load of meat which was good.

24 But the thing I am getting at  
25 is, that now you could travel a hundred miles in one  
26 day with skidoo and just hope that you don't break down  
27 because it is a long way back. But traveling with dog  
28 team, you can always rely on the dog team.

29 But the most important thing  
30 I am getting at is the distance you have to travel,



1 either by dog team or skidoo to get caribou or moose.  
2 That is if they build a pipeline. It might change  
3 the route of the caribou. And the compressor stations,  
4 all the noise they make might chase the moose further  
5 away.

6 The majority of the people  
7 here live on caribou or moose meat and fish. Some of  
8 the natives hold steady jobs here. But on weekends you  
9 still see them out hunting caribou or fishing on their  
10 days off. These kinds of foods is important to them,  
11 because they are raised on these natural foods. You  
12 can't change them.

13 I know some of them tried to  
14 live like white man, but you still see them buying meat  
15 off of the people that's got caribou meat or buying  
16 fish. You can't change their diet.

17 And the people that make their  
18 living off of the land, move into the mountains close  
19 to the caribou. Or fish where the best places are to  
20 fish. If these people make their--kill caribou for  
21 their, for summer use, they dry the meat. And in the  
22 summer time they fish and they fish to make dry fish  
23 for the winter.

24 These animals that we depend  
25 on for food are very valuable to us Natives. If the  
26 pipeline was to be built across the caribou route and  
27 the caribou route change, it will take us many weeks to  
28 get there wherever the caribou is. Or maybe we will  
29 starve on the way. Because most of the experienced  
30 hunters are old now and, like myself, I am still a



1 greenhorn. But I still hunt and fish. Or maybe we  
2 will freeze if our skidoo break down getting to there.

3 If changes like this is to  
4 to take place, and this is just a note, a silly  
5 notion that I had here. I said that I recommend  
6 that Gas Arctic give us new stomachs so we could live  
7 off of the garbage that they sell in the stores.

8 One important thing I would  
9 like to talk about is what if the pipeline break? How  
10 are they going to know if the pipe break during breakup?  
11 Maybe that's a question for one of either Foothills  
12 or Canadian Arctic Gas? That's when the Mackenzie and  
13 Peel River floods, how are they going to get to their  
14 turnoff valves during spring breakup?

15 This spring, when I was coming  
16 back from one of my hunting trips, just before the spring  
17 breakup, I happened to take the wrong road, I took the  
18 Keene Industries winter road. Across the river here  
19 and came, it was dark that time and everything was  
20 frozen. And I seen a little creek, a little creek  
21 running down the bank and it was strange for me, you  
22 know, to see this creek. And every other creek is  
23 frozen.

24 And I smell oil. And so I  
25 stopped my skidoo. And I went over to the creek and I  
26 put my hand in the little creek and I smelled it. And  
27 it is pure diesel fuel.

28 So when I came back, I tried--  
29 it was on a weekend. I tried to get hold of--and the  
30 only person I could get ahold of was, well, the only





1 person I tried to get hold of was Whit Fraser. That  
2 was the only guy you could go to, in the news media.  
3 It was on the weekend.

4 So, somebody answered and said  
5 he wasn't in. So there was nobody else I could talk  
6 to. So, about several days later, they were cleaning  
7 it up. But things like this, what, you should recommend  
8 to the Territorial Government is, to have a place where  
9 in case there is an oil spill, and maybe the companies  
10 are gone, you know, maybe their staging area, where  
11 their fuel bladders are, what you could recommend to  
12 the Territorial Government is that they have a place  
13 where they could, you know, a person could phone there  
14 and tell them there is an oil spill.

15 Instead of trying to phone--  
16 nobody know who to talk to. Like, the only place we could  
17 talk to them and get it on the air is the news media.  
18 But that's not the best place to go to.

19 This is just one of the things  
20 that will probably happen when the pipeline breaks,  
21 you know. You got no place to go to, maybe you have  
22 to phone out to Yellowknife, and C.N.T. is not--the  
23 phones are not too reliable all of the time. And you  
24 know, there has got to be some place where you could  
25 phone right away, or get authorities on it.

26 If the pipeline breaks, how  
27 are they supposed to know? And us we know, because we  
28 are always traveling around or monkeying around, skidooing  
29 or driving boat around.

30 I want to talk about the jobs



1 now. Most of the jobs on the highway, and even in  
2 town, go to the white people. The government is always  
3 saying Northern development. You always hear that on  
4 T.V. and you see it on pamphlets and every place you go.

5 And another thing, they are  
6 always saying the natives get first priority for  
7 jobs. Well, that's not true. Everybody in here knows  
8 it's not true.

9 My way of thinking about this  
10 is they should call it Northern development for the  
11 white people's pockets. That's the way I feel. Even  
12 today our native students, you know, they graduate from  
13 grade 12, and they still end up looking for jobs.

14 I don't blame them. There is  
15 a lot of smart kids. And they graduate and still they  
16 are walking around. That's because some people from  
17 the south come crawling around here and end up with the  
18 jobs that could be taken by these graduate students.

19 That's what make me sick  
20 is taking the jobs away from Natives, and then the  
21 government says that Natives are supposed to get first  
22 priority. That's not the way, I mean, that's not the  
23 way it goes. It might look like in the government  
24 office, down in Ottawa or in Yellowknife, or even  
25 Edmonton, it's on paper. Natives get first  
26 priority.

27 It's not like that. It's right  
28 here in McPherson. It's--everything goes to the whites.  
29 White gets first priority. I don't know why. Maybe  
30 their skin is better than us or, I don't know.



1 If they ever build a pipeline  
2 all of the jobs will be given to the union of southern  
3 workers. And that is a fact because here on the  
4 Dempster highway, there is only three or four who work  
5 steady. There was maybe at one time, I remember they  
6 had about fourteen, but just to do odd jobs and then  
7 they were laid off.

8 And Keene Industries hired  
9 their labour from the south. I don't know why.

10 And another thing, the Depart-  
11 ment of Economic Development, it's not doing a damn  
12 thing in encouraging Native businessmen or those inter-  
13 ested in running their own business. You know to--  
14 while the highway is coming and while the pipeline is  
15 coming, they are not doing nothing to encourage the  
16 Native businessmen.

17 Or those interested in running  
18 their own business. You put in an application to run  
19 maybe a taxi or a cafe, or maybe a garage. You put in  
20 an application at the Economic Development, they send  
21 it out. It's gone for about six weeks and then they  
22 write to you that they want you to change a few things,  
23 then you're--by that time, the shipping season's over.

24 Like the barges, you can't  
25 get your cars in for taxi, you can't get your material  
26 into fill the garage. And then they send it down to  
27 Ottawa and Ottawa says no. McPherson don't need a  
28 taxi, McPherson don't need a garage.

29 But if a white people, a white  
30 person put in an application, it's right there. It's





1 signed.

2 And things like that are going  
3 on, you know. People are fed up with it.

4 Well, what I would like you  
5 Judge Berger to recommend to the Federal Government is  
6 that Natives be given special rates to get jobs on the  
7 pipeline. Not, don't say first priority. Give them  
8 a special way of going into, maybe could--I don't know  
9 how I could say it.

10 A special way, that they are given  
11 a special privileges to get jobs on the highway, because  
12 that thing is going to be built anyway.

13 And you know, like the thing  
14 I keep coming back to is, Natives get first priority.  
15 That is all, you know, I don't like to swear or anything,  
16 but you know, that is not true.

17 They should be given the spe-  
18 cial--if there is going to be a union, the southern union  
19 people are going to get the jobs. There should be some  
20 consultation where we could get in there and the govern-  
21 ment could talk for us or maybe the Brotherhood and  
22 get them to join up with the unions.

23 So that we could get jobs.  
24 And not just these guys supposed to be getting jobs,  
25 they are not getting jobs, stuff like that. Because  
26 even on the, on the highway last winter, one Gas Arctic  
27 guy came to me and said, when they're going to build a  
28 pipeline, we are going to be competing with Keene  
29 Industries for Native workers. He said, according to  
30 my paper here, he says, I heard there's about a hundred



1 Natives working. And that was in February.

2 THE COMMISSIONER: On the  
3 highway?

4 A: Yes.

5 THE COMMISSIONER: That's what  
6 he thought?

7 A: Yes. Well, that  
8 is what he heard at his desk. So I told him there is  
9 one guy that is on that highway. And that was Frederick  
10 Blake from Arctic Red. And I told him that they must  
11 have add two zeros to that one.

12 I mean things like that--if  
13 they want to get, if they want to get the whole truth  
14 then, they should get it right from the community, not  
15 from Ottawa or Edmonton.

16 And I would also like you to  
17 recommend to the government that the Department of  
18 Economic Development assist Native businessmen or those  
19 interested in having their own business, get them to  
20 encourage them, or bring out all of the best possibilities  
21 of doing these business. Before the Dempster Highway  
22 is completed.

23 Or even before the pipeline  
24 is going to be built. Because these are very important.  
25 There is nothing that has been done and there is highway  
26 on full speed right now. And if I was, if I was still  
27 the chief, I was going to try to stop that 47 mile gap  
28 between here, between the border and Dawson. I was  
29 going to put a halt on that until they, the Economic  
30 Development people smarten up because they are not doing



1 a damn thing for us.

2 Before you know it, some  
3 Japanese guy will have a big restaurant here and some-  
4 body will be having a gas station up at the 8 miles there,  
5 right at the crossing. And there is people that live  
6 there all of their lives.

7 You know, things like this,  
8 they should come right down and help us. Not just  
9 send us applications and then throw it in the garbage  
10 about two months later.

11 That's all I've got to say,  
12 Mr. Berger.

13 THE COMMISSIONER: Thank you  
14 very much Mr. Itsi.

15 (STATEMENT OF JOHN ITSI MARKED EXHIBIT C-33)

16 THE COMMISSIONER: Well, we  
17 could hear one more statement before supper.

18  
19 ELIZABETH COLIN: Resumed.

20 A Thank you  
21 for coming to our alcohol center. When you first came  
22 and had coffee with us. I would like to say that I  
23 am happy that I will be talking to you.

24 You heard a lot about what  
25 the pipeline will do to the land, the animals, the fish  
26 and the birds. But what about the peoples? They are  
27 going to be affected by the pipeline too. I will not  
28 be talking for myself but for the A.A. group here in  
29 McPherson.

30 I would like to share with you





1       how we started A.A. here and what has happened.

2                               The Peel River Alcohol A.A.  
3       would like you to hear about how we, as Natives are  
4       trying to help ourselves for our drinking problems  
5       that we used to have 27 months  
6       ago. At that time we didn't know about getting help  
7       for our alcoholism. A lot of people were drinking so  
8       we thought that it was supposed to be that way. Until  
9       I got so fed up with all the problems I was having at  
10      home with my family.

11                           Those days we never even heard  
12      of anybody getting help to stop drinking or even to  
13      control their drinking. I am happy today that I asked  
14      the social worker, Phillip Blake, for help with my  
15      drinking. I was told that I was the first person, I  
16      was told that I was the first person to admit that I  
17      had drinking problems. So he said that he was going to  
18      help me all he can.

19                           That is the first time that I  
20      heard about Henwood. That is a place where people go  
21      for 28 days. For their drinking problems, and to get  
22      help for their drinking. It is about 15 miles from  
23      Edmonton.

24                           Neil and I were the first couple  
25      to go there in July '73 for 28 days for our drinking.  
26      We have nine children, the oldest is 17, the youngest  
27      is five now. That much we wanted to stop drinking. We  
28      left all of our children here and went out to Henwood. We  
29      are happy now that we did that, because our children  
30      are happy, just as we are today.



1                               While we were in Henwood, we  
2       learned a lot of things that we never knew before. We  
3       went to group therapy , couples meetings, lectures  
4       and saw a lot of movies on alcohol. We did a lot of  
5       talking about what is really bothering us.

6                               Like myself I couldn't talk  
7       to anybody about anything. I felt like I was a nobody  
8       until I went to Henwood. There, the door opened for  
9       me, for a lot of things I didn't know. There were a  
10      lot of things that I had never been able to talk about  
11      with anyone before.

12                              But in those sessions it  
13      just all came out. Often I just cried, but so did many  
14      of the other people that were there. And I found there  
15      were others worse off than me, and that helped me.

16                              After we came back end of July  
17      we started A.A. in McPherson. October 20, 1973, we  
18      couldn't start on our own. Three A.A. came from Inuvik  
19      to start A.A. with us. Since then we are having meetings  
20      once a week, since '73. Thirteen other people have  
21      gone to Henwood, for treatment for their drinking prob-  
22      lem.

23                              And we have had the meetings  
24      since then. But we have learned a lot, as Indians, that  
25      we could do a lot for ourselves. We always let the  
26      white people do things for us. But since we quit drink-  
27      ing, we found out that we could do things for our own.  
28      And we didn't even know they had grant for alcohol in  
29      every community.

30                              And the social worker, John



1 Osborne, is the one that told us about it and how we  
2 could apply for it. And what we could do for it. And  
3 all last summer I was busy writing letters to the people  
4 that I didn't know and everything. But he helped me.  
5 He didn't write it for me though, but I had to do the  
6 writing. But he told me I could.

7 A lot of time, I remember, I  
8 got mad at him because I told him I couldn't. But  
9 he said, you could. But today I am happy. John is  
10 in Inuvik and we are here and we still do our own. We  
11 know what to do.

12 And that was the time we ask  
13 the Department of Social Workers in Yellowknife for  
14 a grant so that we could have the Alcohol Centre. We  
15 got a grant of \$25,000 in September 26th, 1974. We  
16 opened the center in November 7, 1974. The reason I  
17 am saying this is we know the pipeline will really  
18 affect the Indian way of life.

19 Also the Dempster Highway.  
20 And they have a beer outlet in the town here  
21 that is being opened Fridays and Saturdays. And just  
22 to give you an idea of how much is being spent. You  
23 see the peoples who are working on the highways for  
24 good wages last winter, and just to give you a--how  
25 much one in three months.

26 And here I have to ask Neil  
27 to read it for me because I can't do it very good. This  
28 is just in three months how much beer was sold and all  
29 that. The reason I am doing this is because that's  
30 in three months, with beer, for the work on the highway





1 like.

2 But I couldn't say it was only  
3 the natives. It was the whites and natives together.  
4 But what if the pipeline come through, it will be worse  
5 than that.

6 MR. COLIN: Thank you, Mrs.  
7 The beer sale here in Fort McPherson is \$5.50 a dozen.  
8 In March, 1974, they sold 1,413 case. Pardon me, this  
9 is March 1975. They sold 1,413 case, which cost \$7,771.50.

10 In April, they sold 2360 case,  
11 it cost \$12,980. In May, they sold 2489, it cost  
12 \$13,690 case, pardon me, \$13,690 dollars. Total sales is  
13 \$34,441.50. That's in three months.

14 This averages out to 7.3  
15 dozen beer for every man and woman and child in this  
16 community. Also, for this amount, ten men could purchase  
17 a freighter canoe--

18 THE COMMISSIONER: Could purchase  
19 a what?

20 NEIL COLIN: A freighter  
21 canoe.

22 THE COMMISSIONER: Oh, yes.

23 MR. COLIN: And 20, and a  
24 kicker and a new skidoo every three months. Or  
25 forty men each year could be outfit with the same equip-  
26 ment. Or purchase 49,202 gallons of gasoline every  
27 three months or 196,808 gallons of gasoline a year.

28 MRS. COLIN: Thank you  
29 Neil. And the reason I put this up is because what  
30 if the pipeline come through, it will be worse. And



1 like right now we are trying to get back on our feet  
2 like. As Natives. Trying to help ourself. But what  
3 will happen if the pipeline come through and there is  
4 going to be a lot of money and a lot of the Indians is  
5 going to be affected by alcohol.

6 And that is what is worrying  
7 us, the A.A. group in McPherson. Like we were saying,  
8 it's not that we are trying to make everybody quit  
9 drinking. We know we will see the drink the rest of  
10 our lives. But there is a better way without it. And  
11 you know what you are doing.

12 And there are a lot of beautiful  
13 things that is in this world that we could see. This is  
14 what is worrying us.

15 Like myself I didn't even know  
16 that I could do the things that I am doing today. Be-  
17 cause, I read and I hear it. The Indians are just  
18 stupid, drunken, lazy, that's what we are called most  
19 of the time by the white peoples.

20 But we can't be called that  
21 way all of the time. We could show them that we could  
22 have our own say too. That is why I am happy that I  
23 have a chance to talk to you, Mr. Berger.

24 Like myself, you know, since  
25 I quit drinking, I have been in a lot of things, trying  
26 to help my people. If we didn't care when we first  
27 came back from Henwood, I don't think that any of this  
28 would be going on. We would have just kept it to our-  
29 self as long as we were sobered, and no use about the  
30 next person.



1 But we care about our people,  
2 that is why we are trying to do all that we can to  
3 help our peoples in any way that we know we could help  
4 them.

5 And I have been to a lot of  
6 places for meetings, or for seminar, and I was to  
7 International Women's Conference in Yellowknife, too.  
8 And by going places like that, I learn a lot all of  
9 the time. And I am happy to say that for being on the  
10 Band Council.

11 The peoples put me here for  
12 them to try and do something for them. I will try my  
13 best for my peoples. Because this is the first time  
14 I think that I am ever making a speech in a public  
15 place like this to a lot of people.

16 It is not easy, but I am talking  
17 so that's the main thing.

18 So Mr. Berger, may I end my  
19 talk with this? Mr. Berger, all of this work for Judge  
20 Berger might be for nothing. Right now you are going  
21 to all of the communities and the people are telling  
22 you everything, how they feel about themselves and their  
23 land and their future.

24 The people have never done this  
25 before. They trust you and they want to tell you because  
26 they believe you can help them. They are going to a  
27 lot of work and doing everything they can to tell you  
28 all about their life.

29 You will be writing a report to  
30 Ottawa. What will happen if Ottawa doesn't listen to





1 you? What if Ottawa doesn't listen to us? What if they  
2 just go ahead with the pipeline?

3 The people in the north are  
4 talking to the government for the first time now. If  
5 the government doesn't listen, how many more people will  
6 start drinking, just because they feel they have been  
7 fooled again?

8 We will feel bad ourselves,  
9 presenting all of this for nothing. We will try to  
10 accept whatever happens. Even though it will be very  
11 hard. But what of the other people in the town?  
12 Maybe they will just drink more to try to forget what  
13 is happening to them.

14 Thank you, Mr. Berger, for  
15 listening to me, from Elizabeth Colin.

16 THE COMMISSIONER: Thank you  
17 Mrs. Colin.

18  
19  
20 MR. ITSI:

21 What about my question about turnoff  
22 valves during breakup?

23 THE COMMISSIONER: Yes, I  
24 think we should come to that. I wonder, maybe we  
25 could have Mrs. Colin's statement translated and then  
26 get your question?

27 MR. ITSI: Yes , okay.

28 THE COMMISSIONER: You can  
29 stay there, Mr. Itsi.  
30



1 THE COMMISSIONER: Would you  
2 have Mrs. Colin's statement marked as an exhibit?

3 (MRS. COLIN'S STATEMENT MARKED EXHIBIT C-34)

4 THE COMMISSIONER: It's 5:30, Mr. Itsi  
5 would you mind waiting until after supper to ask your  
6 questions?

7 Well, we'll adjourn until  
8 8 o'clock tonight. And we will come back at 8 o'clock  
9 tonight and carry right on. Thank you.

10 Yes, I am going on a boat  
11 trip up the river. But I will be back I think by  
12 8 o'clock, so the rest of you will be here.

13 (PROCEEDINGS ADJOURNED)

14 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

15

16 THE COMMISSIONER: Well, ladies  
17 and gentlemen, I think we will come to order. And I  
18 have asked Mr. Carter and Mr. Workman of Arctic Gas,  
19 and Mr. Ellwood of Foothills Pipeline to go to that  
20 microphone so that--Mr. Itsi, if you want to come up  
21 to this microphone, they are right here to answer your  
22 questions.

23 JOHN ITSI: Resumed.

24 MR. ITSI: Yes, my question--  
25 I have a question for Foothills Pipeline and Canadian  
26 Arctic Gas. How will your--the pipeline companies  
27 know when there is a break in the line during spring  
28 breakup, or during freezeup? Like, if your turnoff  
29 valves were under water, how would you get to them?

30 THE COMMISSIONER: You want  
to translate that question?



1 MR. CARTER: I will ask Mr.  
2 Workman to answer that for Arctic Gas.

3 MR. WORKMAN: If, at any time,  
4 there is a break in the pipeline, regardless of where  
5 whether the break is under the river or wherever, the  
6 section of line with that break would be shut off auto-  
7 matically. This is all automatically controlled. The  
8 valves on each side of that break would shut as the  
9 pressure sensors noted that there was a leak.

10 If we had to get in, for any  
11 particular reason to make sure that these valves were  
12 shut off, say, on each side of the river, and it was  
13 high water, breakup period, we could get in by heli-  
14 copter.

15 There are either airstrip  
16 fields or helicopter pads planned for wherever these  
17 valves are.

18 MR. ITSI: You mind if I ask  
19 a couple more, just to--from yesterday when John Blake  
20 was asking, a couple of questions. I would just like  
21 to clarify a couple more questions.

22 From what I read in the maga-  
23 zines, the Alyeska pipeline in Alaska is going to pipe  
24 gas in the air form to Valdez. And at Valdez, the gas  
25 will be liquified so that it will be shipped by tankers  
26 to southern markets.

27 And yesterday you said that  
28 the gas that is in its last staging area where it can  
29 be liquified. Am I correct on that?

30 MR. ELLWOOD: I believe you are



1 referring to the El Paso project there, not Alyeska.

2 MR. ITSI: Yes, yes.

3 MR. ELLWOOD: That is true.

4 Their plan is to ship the gas across Alaska, liquify  
5 it and carry it in tankers down to the southern states.  
6 And there it would go into another plant to be converted  
7 back into a gas, and then shipped in a pipeline to the  
8 markets in the States.

9 It is not used in the liquid  
10 form. We just do that for convenience to carry it in  
11 the tankers.

12 MR. ITSI: Well, yesterday you  
13 said it can't be--can't be liquified after--you said  
14 when it is in its air form stage, it can't be liquified.  
15 Now it's a different story. Well, any way I got it  
16 anyway.

17 THE COMMISSIONER: Before you  
18 go on, you want to have a go at translating that, that  
19 exchange.

20  
21 MR. ITSI: My last question  
22 is not a question, but yesterday you told the audience  
23 that the gas wasn't poisonous. According to the men  
24 that work on the pipeline in the south, like I've been  
25 talking to some of them that worked, had experience in  
26 working on pipelines in the south. That the gas is  
27 extremely poisonous.

28 One guy said there was a leak  
29 in a small valley. And the gas hung in that area, it  
30 lifted up but it hung in that valley there. And one of





1 the workers, I guess one of the maintenance guys forgot  
2 to take his safety mask with him. And he went into that  
3 place and he got killed. And yesterday you said it  
4 wasn't poisonous.

5 MR. ELLWOOD: I would just  
6 comment on that. The poison gas, poisonous gas that is  
7 found in southern Canada, in Alberta, contains  $H_2S$ ,  
8 hydrogen sulphide, which is poisonous.

9 The gas itself, the natural  
10 gas is not poisonous. It is the hydrogen sulphide  
11 which is poisonous. And, so far as we know, all of  
12 the gas that has been found in the Delta thus far does  
13 not contain hydrogen sulphide.

14 THE COMMISSIONER: Well, it  
15 may be sweet gas or whatever it is you call it, but  
16 you can't breathe it, can you?

17 MR. ELLWOOD: No, you need to  
18 breathe oxygen to live. You can't live in impure gas  
19 but it is not poisonous in the sense that one whiff of  
20 it mixed with air would kill you.

21 MR. WORKMAN: I might add--

22 THE COMMISSIONER: Do you want to  
23 try and translate that before Mr. Workman goes on.

24 MR. WORKMAN: I might add one  
25 word to that. The gas that is discovered so far is  
26 not poisonous. There is no hydrogen sulphide in the  
27 gas that has been discovered in the north up to now.

28 And if by any chance they do  
29 discover gas that has this hydrogen sulphide in it,  
30 that hydrogen sulphide would be all removed right at



1 the gas plant, so that the gas that is coming down  
2 through the pipeline would still be quite free of this  
3 poisonous material.

4 MR. ITSI: How will they  
5 get rid of that poisonous gas at the plant, burn it or--?

6 MR. WORKMAN: No, the poisonous  
7 gas is converted to a material called sulphur. The sul-  
8 phur itself is not poisonous and it could be used as  
9 raw material for other chemicals and by-products  
10 later on.

11 But the main purpose for taking  
12 hydrogen sulphide out of the gas, in the gas plant is  
13 to remove this poison.

14 MR. ITSI: Okay, thank you.

15 DORIS ITSI: Resumed.

16 A Ladies and gentler-  
17 men, before I start talking about what I want to say,  
18 first of all, I would like to say how pleased I am to  
19 be with you all, to say a few words about my land,  
20 about the pipeline.

21 I was elected Chief of Fort  
22 McPherson, also Band Council, and I have lived in Fort  
23 McPherson, 51 years now. And I know quite a bit of  
24 this area.

25 So, Mr. Berger, on behalf of  
26 my people, I would like to bring to your attention my  
27 feelings in regards to the pipeline. I do not like  
28 the idea of the pipeline, as do many of the people  
29 in this community. Especially the people who hunt and  
30 trap.



1                   The Arctic Gas people say the  
2 pipeline will be 48 inches wide and will be built very  
3 close to Fort McPherson. Large compressor station will  
4 be built approximately 23 miles from Fort McPherson.

5                   Just eleven miles east of lo-  
6 cation lives two Native families. These two families,  
7 along with other families, go to this certain area,  
8 that they call Timber Creek to hunt and trap.

9                   Construction of the pipeline  
10 is to begin five miles north of McPherson, passing  
11 Husky Lake, the foothills and through caribou migration  
12 areas.

13                   I strongly feel that the noise  
14 from the compressor station and the noise from the  
15 construction will greatly affect and chase away the  
16 animals, especially the caribou.

17                   We depend greatly on the cari-  
18 bou for its meat. And today, the prices of meat in  
19 the store is too high in our stores and that we eat  
20 more of the caribou. The larger families can not afford  
21 to live from the local stores.

22                   Referring to the high prices,  
23 does not mean that the people of Fort McPherson do not  
24 live off of the caribou. Because every person, which  
25 includes the children, have been brought eating caribou  
26 meat.

27                   Another fault of the pipeline  
28 is the possible breakage of the pipeline. People here  
29 are always hearing of pipelines breaking throughout  
30 the rest of Canada, and the world. The breaks will





1 cause considerable damage and pollute a large area.

2 Last fall, after there had been  
3 a lot of seismic and drilling work, people said that the  
4 Arctic Char that runs up the Rat River were down in  
5 numbers. Construction camp that are close to  
6 Fort McPherson will create a lot of social problems.

7 Drinking will increase, Indian  
8 girls will be involved with white men. There will be  
9 more unwed mothers. More crimes, more drugs, employment  
10 is another important thing in the pipeline.

11 It seems that the Natives  
12 always get the lower type of jobs. It has already  
13 happened with the oil companies and construction camps  
14 that promise to hire Native workers. These promises  
15 have never been kept to their full extent.

16 Discrimination seems to be  
17 a point that exists when the workers are being hired.  
18 The Department of Lands and Forests says that the oil  
19 companies must have permission from Natives to do any  
20 work within their area.

21 In the past we have experienced  
22 oil companies conducting seismic and drilling work  
23 without permission. We do not want to even talk about  
24 pipeline until there is a proper land claims settlement.

25 By having a land claims settle-  
26 ment, we can have more control over large development  
27 to our land.

28 This is Doris Itsi.

29 THE COMMISSIONER: Thank you  
30 very much, ma'am.



(WITNESS ASIDE)

THE COMMISSIONER: Are you going to interpret that? I would like that statement marked as an exhibit.

(DORIS ITSI'S STATEMENT MARKED EXHIBIT C-35)

MR. KOE: And Mr. Justice Berger and ladies and gentlemen. And before I decide, you know---

THE COMMISSIONER: We will have to swear you in. I didn't see you there for a minute.

MR. KOE: You have to swear me in?

THE COMMISSIONER: Sorry.

RICHARD KOE: Sworn.

A: Mr. Justice Berger and ladies and gentlemen. Before I start, I want to tell you that I am not a public speaker or something like that. What I want to talk about is my experience at work and what I thought about it after I, you know associated with some of the white people from down south.

My friends here have got a presentation written out which maybe later on or tomorrow they will be reading to you on that there. They are going to give you their idea of what they think about this pipeline that is coming through.

But what I want to add, to say is that when I was working for Shell Canada, when I was



1 working out at the rig, I think that the general idea  
2 of having Indian people on that job was to sell a sort  
3 of a product to the rest of Canada or to the Indian  
4 people, saying that, look, we've got Indian people on  
5 the job.

6 Therefore, the rest of you people  
7 should be glad. But I think, they have maybe two  
8 people on the whole rig, and all the rest are from down  
9 south. And any Indian people that is on that job there,  
10 they really aren't being taken for what they are.

11 Like, if they're really willing  
12 to work, like, they've been given a pat on a head, like  
13 you know, you are a good Indian. And another thing that  
14 surprised me was that, before I was there, I didn't  
15 know that when I started working, I heard from one of  
16 my fellow employees down south that this, they had this  
17 meeting, I think it was Gas Arctic or I don't know what--  
18 for Shell. That there is going to be some Indian  
19 people working on that rig.

20 And we want you to treat them  
21 real good, don't get mad at them. You know, just like  
22 some token Indian. They wanted us to be happy, where  
23 we were. So maybe we can come back and tell the Indian  
24 people that, oh, we got this job, we are happy now.

25 And then they can say, like,  
26 oh, that's good. Now the idea--well, I guess maybe  
27 after I finish this speech, the Interpreter can you  
28 know, just say what he wants. Like he can give the  
29 general idea behind what I have to say. I think he  
30 understands me and he understands what the rest of the



1 younger people feel like.

2 And we have a lot of graduates  
3 walking around right now without jobs. I think they  
4 want jobs, you know. And right now the Shell Company  
5 are bringing in university students, college students  
6 from down south for summer employment. And after they  
7 finish that employment, well, they go back to school.

8 They probably fund the student  
9 themselves. But the students from around here, they  
10 don't seem to get nothing. They're promised jobs. I  
11 don't know. Maybe you can ask the Manpower in town,  
12 or anything like that. How much times, say one  
13 person went there, how much times he was turned  
14 down.

15 And you compare to their sta-  
16 tistics of how much, what's the turnover of employees  
17 that are coming in and quitting and then bringing them  
18 in from back down south?

19 But, like you know, it's the  
20 product, eh? They've got to sell it, you know, the idea  
21 that all we are is just, you know, like something they  
22 can show to the rest of Canada or the rest of the Indian  
23 people.

24 And I think the Indian people  
25 are right when they say they don't want that pipeline  
26 for very good reasons. I think you can see what's  
27 happening over in Alaska. And maybe in the James Bay  
28 project. What's going on down there.

29 And if there's any good news,  
30 like tell us who's getting all of the profits, who is





1 getting all of the recognition. I think the only recog-  
2 nition the Indian people get down there is like bad  
3 publicity, like, you know, the Indian people have no  
4 jobs.

5 You know, they're drinking.  
6 And all of that. Well, ever since 19--well, '58 when the  
7 construction first started up here, the Indian people  
8 were hired on and off and on and off and on and off.  
9 Like, small, you know, short-time employment.

10 And they got so used to it,  
11 you know, I don't think they could have worked for  
12 like two months without saying, you know, "oh man, I've  
13 worked two months. Like this really beats one week,"  
14 you know. And they got so used to that.

15 And all of a sudden the oil  
16 companies come and they hit them with a lifetime employ-  
17 ment. Like you know, you've got an employment, now you  
18 can work for the rest of your life. You can have big  
19 car, you can have everything. But then they turn around  
20 and they pat them on the head and they don't give them  
21 employment. And you know, you can feel when you are  
22 left out or when you are different.

23 It is as simple as that. And  
24 if they want equality, they might as well come down to  
25 our level, because we can't go up there. They left us  
26 behind a long time ago, through their own doings.

27 They put us down, first time  
28 in 1958 by sending Indian agents over here, by sending  
29 workers, by sending foremans and everything they are  
30 sending here, and putting us down.



1 But I don't think that all of  
2 a sudden we can change and say we will accept the pipe-  
3 line, the consequences and all that, because I don't  
4 think we're not stupid now.

5 A lot of young people know  
6 what it's like to live right in 1974 now. And to think  
7 like in three years the pipeline comes through and all  
8 of the information that is coming in from Alaska, of  
9 what it's done over there, I mean that just don't ring  
10 a bell with us.

11 And I just want to say that I  
12 hope that all of the rest of the young people are behind  
13 me in what I say. Maybe that's the way I feel, maybe I  
14 am right, but you know, I don't think I am wrong either.

15 But I just wanted to say thank  
16 you for listening.

17 (WITNESS ASIDE)

18 THE COMMISSIONER: Thank you  
19 very much, Mr. Koe. Maybe you could take a stab at  
20 interpreting that, just summarizing it if you can.

21  
22 Thank you.  
23 Mr. Koe, you and your friends are going to make a pre-  
24 sentation, I gather. Maybe we could swear in all of  
25 the young people with you, if that's all right now  
26 and then you could carry on?

27 MR. KOE: Oh, sure.

28 BOB SIMPSON: Sworn.

29 MR. SIMPSON: My name is Bob  
30 Simpson. I would like to thank Mr. Berger for coming  
today.



1  
2 The most attrac-  
3 tive part of the gas pipeline that has been proposed is  
4 employment. The great pipeline is to take us out of  
5 poverty. Yes, in this country you are not rich by the  
6 standards of southerners, but there are very few Cana-  
7 dians who eat better than we do.

8 The pipeline will not bring us  
9 out of poverty. It will bring the standard of living  
10 up to two, three times higher than now. Which is al-  
11 ready about twice that of the average Canadian's grocery  
12 bill.

13 So it is a very attractive  
14 proposal, Gas Arctic and Foothills Pipeline bring us  
15 today. We will just have to pay four to five times  
16 higher prices.

17 But that slithering snake of  
18 a pipeline, who tries its hardest to tempt us, will  
19 tell us the great number of jobs, the money, yes, this  
20 is the snake's apple. Money.

21 I also heard at one time that  
22 this was to happen then the Dempster Highway was to  
23 be constructed. Already this mud stream has passed  
24 us. There has been no great amount of money flowing  
25 into this town. Admittedly, there are a few families  
26 who have seen a better time because of this construction  
27 boom.

28 And I can count them on my  
29 fingers. And this better time comes after taxes, gro-  
30 cery bills and, if they live in their own houses, heat,





1 light , which is never cheap. Very little is left for  
2 the better life, whatever that means.

3 What is a better life? Perhaps  
4 in fairyland, it would be driving trucks 12 hours a day,  
5 six days a week, receiving a minimum of \$1500 every two  
6 weeks. In the three years of road construction, a man  
7 would have earned \$108,000. But who in this community  
8 has received a quarter of this amount in three years?

9 I can only count three. How  
10 many receive a quarter or more who do not live in this  
11 country? 75 to a 100 men. How many men from this town  
12 could receive this amount? 50 to 100 men.

13 Why are not these men employed  
14 now or were not employed because Indians are thought of  
15 as labourers, not capable of doing any skilled job of  
16 any kind.

17 My occupation as employment  
18 officer is to find jobs for the people in the town by  
19 creating jobs or by certain companies asking for  
20 labour. I am sorry to say, but in the short period of  
21 my being in this position, companies request only  
22 labourers.

23 It seems to me this helps out  
24 their public image. You see, nobody can scream prejudice  
25 because they have hired local labour. But very few  
26 Indians are ever given the chance or equal chance to  
27 prove their full capacity.

28 Gas Arctic has only two men  
29 trained from here for pressure stations. One of them  
30 is still working for Gas Arctic. This is good. I am



1 happy to see that man in his position. But it seems  
2 that you only have 200 jobs at maximum to offer in  
3 Northwest Territories. 200 permanent jobs

4 Sir, this is a drop in the  
5 ocean. As far as I am concerned, you have nothing to  
6 offer us in the way of employment. What you offer is  
7 three to four years of employment, then nothing.

8 What can fill the empty  
9 pocket? The land will be gone. The land may well be  
10 taken away forever. Sir, do you expect people to take  
11 hundreds of years and then to throw them into a mere  
12 four years?

13 What kind of suicide are you  
14 asking us to take?

15 Thank you.

16 THE COMMISSIONER: Thank you  
17 very much, sir.

18 (WITNESS ASIDE.)

19 THE COMMISSIONER: Translate  
20 that if you would, Mr. Charlie.

21 CHIEF CHARLIE: They asked me  
22 if they could just do away with the interpreting,  
23 because if it is all recorded over there and it is going  
24 to left here. When they get it, they could explain  
25 it to the older peoples what's been said as it is  
26 taking too much of the time. We have about 20  
27 lined up that want to talk.

28 And if we go through an inter-  
29 preter like this, I think you will be here another three  
30 or four days. So will you tell us just what you think



Gladys Luxie (Nerysoo)

1 about this?

2 THE COMMISSIONER: Well, maybe  
3 we could carry on with these presentations by these  
4 young people.

5 CHIEF CHARLIE: With the older  
6 person coming up, and making the speech, they said they  
7 will interpret that, but when they get letters like  
8 this, it takes so long to go through.

9 THE COMMISSIONER: Well, why  
10 don't--if it's all right with you Chief, and the members  
11 of the Council, we will have you Mr. Koe and the others  
12 at your table there, carry on with your statements.  
13 We won't interpret them but maybe when you  
14 finish, we will take maybe five minutes and you can,  
15 Mr. Charlie, you can try to summarize it just very  
16 briefly without trying to cover all of the ground.  
17 Would that be all right?

18 And in that way we will, the  
19 people that don't speak English will still get an idea  
20 tonight of what's being said, okay? We'll just carry  
21 on like that. So whoever is next.

22 GLADYS LUXIE (NERYSOO): Sworn.

23 A Mr. Berger,  
24 Chief, ladies and gentlemen. My names is Gladys Luxie.  
25 I would like to read my report that I have typed up.

26 We the Indians of Fort McPherson  
27 and the rest of the Northwest Territories do not want  
28 the pipeline to be built as it will destroy our land  
29 and our way of life. We are lucky here to have a  
30 say in what we want done with our land.



1 As the Indians of southern  
2 Canada did not and now they can't even make a decent  
3 living off of their land.

4 THE COMMISSIONER: Excuse me  
5 a second. I am awfully sorry. It really is hard for  
6 me to hear you. And could you just slow down a little  
7 bit. We have got lots of time. Would you mind starting  
8 again? I am terribly sorry but I just couldn't hear  
9 you.

10 A: We the Indians  
11 of Fort McPherson and the rest of the Northwest Territ-  
12 ories do not want the pipeline built as it will destroy  
13 our land and our way of life.

14 We are lucky to have a say in  
15 what we want done with our land, as the Indians of  
16 southern Canada did not. And now they can't even make  
17 a decent living off their land, as it is covered with  
18 farms and cities.

19 When white man first came to  
20 North America, he wanted to take all of the riches the  
21 land could offer and without even asking the Indians,  
22 he began to build a railway which now runs from one  
23 end of Canada to the other. And still not being satis-  
24 fied, he built highways that has caused more damage.

25 And now if he wants to see any  
26 of the wild animals that his ancestors used to hunt, I  
27 mean the Indians, he has to--he goes to the zoos where  
28 they are caged up in cages that are so small that they  
29 can't do anything but walk back and forth.

30 We want our land to stay the





1 way it is. Even though it is damaged a little by the  
2 roads that the oil companies made in the sixties.

3 We are the last frontier in  
4 Canada and maybe in the whole of North America.  
5 As Alaska now is no longer the way it used to be.

6 So why not build the gas pipe-  
7 line along the oil pipeline that you have built in  
8 Alaska and keep Canada beautiful? And another thing  
9 that I would like to say, is that all of Canada belongs  
10 to the Indian people.

11 It always has and always will.  
12 Before Canada became a nation, the Indian people were  
13 a nation among themselves. The English and the French  
14 fought for land, for the land, calling it theirs.

15 But it really belonged to the  
16 Indians. And even calling it Crown land will not change  
17 the way we think.

18 You have taken land away from  
19 people throughout the world, and don't you think that  
20 you have taken enough already? You have given us  
21 everything and by giving us everything, and destroying  
22 what we had on our own, the only thing now that we have  
23 left is our pride in our land which will be ours always.

24 The cost of everything here  
25 will go higher. This will be worse when the wages go  
26 up. And as everyone knows, most of the wages will go  
27 to taxes anyway.

28 We aren't like the white people  
29 who are always trying to stay ahead of each other  
30 in owning large homes, land and things that they don't



1 even really need.

2 The government of Canada is  
3 trying to bring down inflation and they can't seem to  
4 do anything about it. Up here we are used to it, as  
5 it all--the cost of everything has always been high.  
6 What will happen then?

7 The rest of Canada are always  
8 complaining of the high cost of things. Before they  
9 say things like that, I would like them to come and  
10 live a few years up north and to pay the prices that  
11 we, the Native people pay.

12 One thing that we are lucky  
13 to have is animals on the land. We do not need to buy  
14 meat and fish, unless we really have to. And another  
15 thing I would like to talk about is the young people.

16 There are a lot of young people  
17 who are making their living off of the land. They see  
18 beauty as it really is, not like the young people in  
19 the south who have to go to the parks and zoos in order  
20 to see animals which are caged up, and aren't free to  
21 roam.

22 Like I said before, we are in  
23 a land that has already seen some damage, which the  
24 oil companies have done. I am one of the few people  
25 who has an education on which I can  
26 depend on if the oil pipeline does go through. But  
27 very few of my people have what I have.

28 Therefore, not only for myself  
29 but for my people, I do not want the pipeline to be  
30 built on our land. Even when we go south for further



1 education, there are only a few Native people who go,  
2 and the rest are white people.

3 And I am not the only one who  
4 can and will say this. And if they do go south, many  
5 of them return even before they finish the courses they  
6 are taking. So for the sake of the young people and  
7 also the old, why not build the gas pipeline along the  
8 oil pipeline in Alaska?

9 I would ask that the young  
10 people support our ideas by coming forth and saying their  
11 part. We must fight hard in order that we possess our  
12 land which must be ours for always.

13 Thank you.

14 THE COMMISSIONER: Thank you  
15 very much.

16 (WITNESS ASIDE)

17 RICHARD FRANCIS: Sworn.

18 A: My name is  
19 Rick Francis and I have worked with Alberta Gas Company  
20 for three years in the province of Alberta.

21 First I would like to talk  
22 about the line breaks. I've seen the damages that it's  
23 caused to the land, and I don't want to see that done to  
24 the north.

25 The trees should be able to  
26 grow freely as and not having to be burnt down because  
27 of a line break. And I have traveled all over Alberta  
28 on the route of the pipeline. And I have seen very  
29 few Native people been employed by the white man's  
30 industry. Is this what is going to happen to the Natives





1 of the North after a few years of the pipeline--should  
2 the pipeline come up here.

3 Would we be out of the jobs?

4 And I have been on the construction where they have  
5 laid the actual pipe under the ground, to the completion  
6 of a compressor station. And watching this, being  
7 involved with it, a person can't help but think of the--  
8 his many winters back to his homeland. Thinking that  
9 he's glad that he's not doing this to his land.

10 And the gas industry are taking  
11 young people out to good training to bring them back.  
12 How many of these people, the young people would like  
13 to come back and tear up their land for a pipeline?

14 That is all that I have to say  
15 for now. Thank you.

16 (WITNESS ASIDE)

17 THE COMMISSIONER: Thank you.

18 I wonder if the statement that you read, I wonder if  
19 we could have that and mark it as an exhibit. But  
20 the gentleman that spoke after Mr. Koe, I am sorry, I  
21 have forgotten your name. You had a statement too.  
22 I wonder if we could have that?

23 Oh, you have it here. Well,  
24 that one will be marked an exhibit and then the one  
25 that was read just a minute ago, and is now being brought  
26 forward, is the exhibit after that.

27 (STATEMENT OF BOB SIMPSON MARKED EXHIBIT C-36)

28 (STATEMENT OF GLADYS LUXIE (NERYSOO) MARKED EXHIBIT C-37)

29 (STATEMENT OF RICHARD FRANCIS MARKED EXHIBIT C-38)

30 THE COMMISSIONER: If you want



1 to just summarize what these people were saying, you  
2 can take a try at it. If you can't, we will--I'll tell  
3 you what we will do, Chief.

4 All of these statements that  
5 we are collecting here in writing, we will take them  
6 with us but we will have them photocopied and we will  
7 send them back here, so that you can explain them to  
8 the people who don't speak English, when you find it  
9 convenient to do so.

10 I think that maybe we had  
11 better proceed in that way, and that's--and I think that  
12 I'll certainly remain here tomorrow afternoon and I  
13 will stay here tomorrow night too. But I really think  
14 that since I promised the people of Old Crow we would  
15 get there Thursday, we had better try to get there  
16 Friday.

17 But we will stay all day tomorrow  
18 and tomorrow night. I think that should give us  
19 a chance to hear most of the people.

20  
21 CHIEF CHARLIE: We have some  
22 letters from one of the widows in town here? The  
23 letter reads, to whose--

24 THE COMMISSIONER: Who is the  
25 letter from?

26 CHIEF CHARLIE: The woman is from--  
27 Mrs. Mary Wilson, and I guess she has to be sworn in?

28 THE COMMISSIONER: Yes, if  
29 she is here. Yes, would you just swear in that lady  
30 please?



28 It is going to ruin our way  
29 of life for sure. Our children's life will be destroyed.  
30 No, we don't want the pipeline." Signed, Mrs. Mary Wilson.



1 THE COMMISSIONER: Thank you.  
2 That will be handed in and marked as an exhibit as well.  
3 (LETTER OF MARY WILSON MARKED EXHIBIT C-39)

4 THE COMMISSIONER: We had better  
5 collect those now. I am sorry. Certainly, if you  
6 would swear in this lady?

7 MRS. JIMMY THOMPSON: Sworn.

8 THE INTERPRETER: This is Mrs. Jimmy  
9 Thompson, of Fort McPherson. Judge Berger, I am sure  
10 happy that you are with us now. I can't tell you in  
11 English, also I want to thank Interpreter.

12 When a child is born, they  
13 are brought up by their parents. And after the child  
14 do what his parents are, sometime they are right and  
15 sometime they are wrong. Now, today we see there is  
16 a lot of change to what it was--what it used to be many  
17 years back.

18 Today sometime our young people  
19 don't listen to their parents and they do as they please.  
20 This we know is because of the many changes that is  
21 coming into the northland.

22 Now we hear so much about our  
23 land, we see the map on the wall and see what we are  
24 doing in the land on that map.

25 We all claim that land for  
26 many years because of our grandparents. We had many  
27 good chiefs in the past years and that is how that we  
28 are gathered here in one of our chief's name building. So  
29 as we are telling you about our land.

30 It's our land and we all think





1 of it as a bank. We all think of it as a bank. Now  
2 we hear that a gas line is coming through our land and  
3 there is a lot of good timber, even willows grow on it.

4 No more--because of the pipe-  
5 line, these good timbers and willows will be destroyed.  
6 It's just like sometime that we have a storage of meat.  
7 If it's thaws, we get rid of that meat and that is the  
8 way that our land will go.

9 There will be more animal  
10 left on the land because there is nothing for the animal  
11 to live or feed on. So that is the reason we don't  
12 want the pipeline. Even the fish is not like what it  
13 used to be. We have hard times to catch fish nowadays.

14 I want to say a few words  
15 about drinking. Not because I don't drink. Firewater  
16 was brought into our land by white man. We didn't ask  
17 for it. When it came in. Now today there is a lot of  
18 good jobs which our young people do to make good money for  
19 their work. But when they get paid, have a holiday  
20 they always spend their money on the firewater.

21 We know there is going to be  
22 lots of money made through that pipeline. But we also  
23 know that money will be spent too. So we know there will  
24 be always a lot of problems.

25 That is the reason why we older  
26 people don't want the pipeline because it will bring a  
27 lot people into land and it's going to spoil our land  
28 and our young people.

29 Thank you very much for what  
30 I had to say, Judge Berger. And also for you visitors



Mrs. Jimmy Thompson  
Roddy Peters

1 to Fort McPherson."

2 THE COMMISSIONER: Thank you,  
3 Mrs. Thompson. We'll mark that as an exhibit in the  
4 proceedings.

5 (MRS. JIMMY THOMPSON'S LETTER MARKED EXHIBIT C-40)

6 THE COMMISSIONER: Miss Hut-  
7 chison, would you swear in the gentleman at the micro-  
8 phone, I think he wants to make a statement.

9 RODDY PETERS: Sworn.

10 A: Hello, Judge  
11 Berger, and my Chief and my second Chief and my  
12 Town Counsellor and ladies and gentlemen.

13 I am very glad I am here to  
14 put my two cents worth in this community. I am a guy  
15 that come one of the big family too, but right now I  
16 just got my mom living with me.

17 And I spend half of my life in this town, in this  
18 community.

19 Most of the time I'm doctor  
20 for her and nurse and, all these time, decide that I  
21 am just living right along. But as far as I understand  
22 in my opinion, that this pipeline, there is--that's  
23 what I would really like to understand.

24 Natural gas and gas and oil,  
25 how many pipes is going to come through our country  
26 and that's what I'm disappointed on that. I would like  
27 to know how many of these are going to come through our  
28 country to spoil our country?

29 And I'm not talking about my-  
30 self, because some of my sisters have got big family.



1 Their children are going to live another two or three  
2 generations. And lots of my friends have got big family.  
3 That is what I am pulling about.

4 And I understand that there is  
5 supposed a hundred Canadians, government since 1921  
6 and we're supposed to be good Canadian citizens, since  
7 that time.

8 But before that, we were under  
9 our great chief, our own government. Therefore maybe  
10 government could have pity on us and give us a little  
11 truthful--settle our country for us in the right way  
12 rather than just look at us at the side of the highway  
13 and, you know, just like somebody, some loose pet or  
14 something like that.

15 And I would like to see the  
16 government listen to us, and try to take care of us,  
17 rather than just leave us on the side. And I got lots  
18 to talk about. But it's hard for me talk in front of  
19 my own people, because I have been in quite a few of  
20 this community meeting before, since 1971. I was in  
21 Fort Smith. First time in my life I was in big meeting.  
22 Leadership meeting.

23 I was first guy to be brought  
24 up and do my speech. For a few minutes when I sat down  
25 I didn't know I was shaking, almost shake to pieces.  
26 So right now, I know lots of my friends, people is  
27 looking at me, ready to joke with me. So that is the  
28 best I could say for my people.

29 Thank you.

30 THE COMMISSIONER: Thank you, sir.





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(WITNESS ASIDE)

THE COMMISSIONER: I think there are some others that want to speak tonight and I understand that later on you are going to have a dance.

Maybe we could stop for five minutes now and maybe some of those of you who were going to say something could get together with the Chief and Michael Jackson and just decide who is going to speak for the rest of the time that we've got tonight.

And then agree when we will stop and the dance can begin. We'll stop for five minutes now and then we'll go on for a while after that.

(PROCEEDINGS ADJOURNED)

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

THE COMMISSIONER: Ladies and gentlemen, we will come to order again and hear more of the statements that people want to make then.

MR. CHARLIE: We have one letter from Chief Johnny Kay. And he's referring that he's not feeling well.

THE COMMISSIONER: Well, he was sworn yesterday.

MR. CHARLIE: But he was sworn yesterday.

THE COMMISSIONER: Certainly, so carry on then.

MR. CHARLIE: So when he finish speaking, he mention that he was going to come back today and talk about something else. And he sent a note in. So I have it here in my hands so I will



1 read it out.

2 THE COMMISSIONER: Please do.

3 CHIEF JOHNNY KAY, resumed.

4 MR. CHARLIE: This is  
5 letter of Chief Johnny Kay and it refers to Treaty  
6 Number 11, 1921.

7 "Judge Berger, I would like to  
8 tell you about 1921 Treaty party. I am not feeling too  
9 well today so I did not come.

10 Indian Agent, Mr. Conrad came  
11 by gas boat, first gas boat I seen in my life. He  
12 landed his boat, have a big flag on it. They set up a  
13 big tent and they put a table in it. They start talking  
14 about land and money.

15 Jimmy Sibiston was his inter-  
16 preter and he also gave Chief one flag and he talked  
17 about preserve. He said no white man is going to cut  
18 one tree on it. What a big lie he told us.

19 Now they put highway on it,  
20 now they want to put pipeline through it too. He said  
21 someday if they find mineral, oil, gold, we will  
22 get big money from it. So if we take treaty money,  
23 no man will drive us around.

24 Mr. Conrad said someday lots  
25 of white man will be coming around. So if we stay near  
26 creek, we have to put big stick with I.D. on it. And  
27 near eddy where we set our nets. And if a white man  
28 comes this I.D. he will not bother and go away.

29 White man, they do lot of  
30 damage to our land. We are concerned about our land.



1 We get fish, meat and we trap on it. To make our living  
2 by it.

3 We don't want pipeline. They  
4 will make it bad for caribou and all living creatures.  
5 Hunting, trapping and fishing will be bad. What will  
6 our children do ?

7 And good luck, and God bless  
8 you on your trip to Old Crow and goodbye." Johnny Kay,  
9 Senior.

10 THE COMMISSIONER: Thank you.  
11 That will be marked as an exhibit.

12 (LETTER OF CHIEF JOHNNY KAY MARKED EXHIBIT C-41)

13 MR. FRANCIS: Judge Berger, I  
14 have one filed brief here, but the lady has to be sworn  
15 in yet. It is very short. I think it would make her  
16 happy.

17 There is two of them there,  
18 side by side. We have brief from each.

19 THE COMMISSIONER: All right.

20 SARAH FRANCIS: Sworn.

21 MARY KENDI: Sworn.

22 MR. FRANCIS: The first brief  
23 here is from the lady on my right here, Mary Kendi.  
24 All of it is written to Judge Berger.

25 "I am happy for the opportunity  
26 to see you here with us. I do hope you will help us.  
27 I am doing this on behalf of my family. I am worried  
28 about what will become of them, during and after this  
29 big development starts. All my life, I worked hard for  
30 my children. Every spring I go out trapping in the woods.



1 With what little I get I do my  
2 best for them. If this pipeline goes through, what kind  
3 of life are we going to have? I am sure it won't be  
4 any better than it is now, but only worse. This is  
5 why, ever since we heard about the pipeline, we are  
6 afraid to even think of the future.

7 It is not only for me. All my  
8 friends feel the same way. We are worried about the  
9 future of our children. We would like to see our chil-  
10 dren and theirs, carry on the ways of our ancestors and  
11 ourselves.

12 We don't want to be changed  
13 into something we don't understand. If we must make  
14 some changes, we don't want it through someone pushing  
15 us into it. We must be given time to think and do it  
16 our own way.

17 And talking with my friends,  
18 I find a lot of them don't like, don't want the pipeline  
19 from Prudhoe Bay to pass over our land. If anything  
20 has to be done, we must have land settlement first.

21 Otherwise we don't want anyone  
22 bothering our land."

23 That is signed Mrs. Mary Kendi.

24 THE COMMISSIONER: Thank you  
25 very much.

26 MR. CHARLIE: I have one here  
27 before me, Judge Berger, and it's a note reads from  
28 Sarah Francis, Senior.

29  
30 MR. CHARLIE: "I am very happy,





1 for your visit and I am also happy you are here to share  
2 this little time with us.

3 This land is our land and  
4 I wouldn't want to lose a good place as it is.  
5 Since my parents brought me up, we stayed in the bush  
6 all of the time. Ever since I remember back, we live  
7 off the land and through that time, we were in the  
8 bush, we made dry meat with caribou meat. And dry fish  
9 from the fish we caught.

10 I say to this hearing, it is  
11 that I would not like to have the pipeline come through  
12 my country. This winter my son stayed up in the moun-  
13 tain for two months and we shared a lot of good times together. We  
14 stayed in close to caribou and we get meat wherever we  
15 want it.

16 The reason for why I don't  
17 want the pipeline is that I don't want to see the young  
18 people of today with nothing. I want them to have  
19 something to be proud of as they were growing up.

20 This is all for now. Thank you  
21 very much."

22 And she has a postscript here..  
23 "Here I have here an example of what we used to do when  
24 we live off the land, when my parents lived. And still  
25 today we are doing it and the same."

26 She brought a little bag of  
27 dry meat here which she wants you to see. And it's  
28 here before us.

29 THE COMMISSIONER: Fine, well,  
30 we'll mark the two statements.



1 (STATEMENT OF MARY KENDI MARKED EXHIBIT C-42)

2 (STATEMENT OF SARAH FRANCIS, SR., MARKED EXHIBIT C-43)

3 THE COMMISSIONER: Thank you  
4 very much. That's very nice of you. I won't start  
5 now, that would impolite. I will wait until we are  
6 finished.

7 CHIEF CHARLIE: I have got  
8 a statement. Should William Nerysoo be sworn in?

9 THE COMMISSIONER: Yes, I  
10 think so. What's his name?

11 MR. CHARLIE: Oh , he was  
12 yesterday.

13 THE COMMISSIONER: Well, we  
14 will regard this as a continuation of his testimony.  
15 What was the name again, I am sorry?

16 CHIEF CHARLIE: Mr. William  
17 Nerysoo, Senior.

18 WILLIAM NERYSOO: Resumed.

19  
20 CHIEF CHARLIE: The letter  
21 reads:

22 "I remember quite clearly about  
23 thirty years prior to 1921 when the Treaty was signed.  
24 In those years prior to 1921, I do not recall anyone  
25 having a tough time making a living. All of the peoples  
26 were very independent, the Treaty party arrived here  
27 to give Treaty money.

28 I remember very clearly the day  
29 the Treaty was signed by the Chief. Even that--I won't  
30 go into that part too much. I will only say that the



1 Indian agent was then told the Chief that the Government  
2 would take care of him always.

3 What the Indian agent said  
4 that day, I believe now. I am saying this because the  
5 government is assisting the Native people here in the  
6 north a great deal and in many ways.

7 Since that day, a great many  
8 years have passed until today with the aid of the  
9 government and the peoples is getting along. They are  
10 assisting all groups in the north and they seem to be  
11 getting along quite well.

12 From what I hear, the government  
13 is claiming all of the land in the Northwest Territories.  
14 And so are the Native peoples, Indian and Eskimo alike.

15 There are many hundreds of  
16 children being raised in the Northwest Territory and  
17 they will increase substantially in the next fifty  
18 years, and as the population increase, so will the  
19 land area decrease.

20 And no doubt a lot of southern-  
21 ers will be coming to the north and where will the  
22 children go? For this reason, if the government give  
23 the land to the Natives for their children in the future  
24 I will be very happy.

25 If the government allows the  
26 Natives to claim the land in the Northwest Territories,  
27 the Natives will not deliberately keep the white society  
28 out of it.

29 The peoples that come in and  
30 work, to make their living will be welcomed by the





1 Natives, whoever comes our way we will regard as a  
2 friend. But if a big company such as oil or mining  
3 wants to explore, they have to ask the Natives for  
4 permission to do so.

5 I am not talking about this  
6 land for my benefit, but for our children and their  
7 children for generations to come.

8 The government has assisted  
9 the Indians since 1921 and I hope they will continue  
10 to do so. What I am saying here is that not just for  
11 tomorrow. I am thinking fifty to a hundred years  
12 ahead.

13 Whatever the Native people  
14 say, I hope the government considers this seriously  
15 and hopefully agree with us. You are all gathered here  
16 and you are listening to us.

17 I thank you for that. I  
18 certainly welcome your visit to Fort McPherson.

19 Thank you." William Nerysoo, Sr.

20 THE COMMISSIONER: All right,  
21 that statement will be marked as an exhibit.

22 (STATEMENT OF WILLIAM NERYSOO, SR., MARKED EXHIBIT C-44)

23 THE COMMISSIONER: We can  
24 carry on, I think until 11 o'clock, for another fifteen  
25 minutes. So anybody who wants to speak tonight should  
26 feel free to go right ahead.

27 JOHN BLAKE: Resumed.

28 MR. BLAKE: Mr. Justice Berger,  
29 I have one item here to bring up and maybe after I've  
30 finished this one here, maybe---I would like to ask the



1 lawyers again one or two questions, they don't mind?

2 On the matter of education  
3 for our young people, for the pipeline project, I  
4 understand the pipeline company are willing to train  
5 our young people for the work on the pipeline jobs.

6 So we want our young people to  
7 be trained right away. If our young people are not  
8 trained for the pipeline project, they will have no  
9 jobs. Only the white people from the south and we don't  
10 want to wait too long for this.

11 Could I ask the lawyers a  
12 couple of questions on this?

13 THE COMMISSIONER: Yes, certainly  
14 Do you gentlemen want to return to that table with  
15 the microphone?

16 MR. BLAKE: Well, I would  
17 like to ask you, how many young men have you trained  
18 from the Northwest Territories in the last few years?

19 MR. WORKMAN: On the Nor-Tran  
20 training program, the number that are presently on the  
21 program is 91 at the last count. And the training is  
22 going on continually. It has been going on for several  
23 years.

24 It takes possibly five years  
25 to train people up to the top jobs. Some have reached  
26 this level and are now training others on the program.  
27 But this is a continuing thing. Training will go on  
28 as long as each individual wants training and is capable  
29 of receiving training.

30 MR. BLAKE: The 91 you have



1 said you trained up to date, how many have you on  
2 the job at the present?

3 MR. ELLWOOD: All of those  
4 91 are on the jobs, on the jobs at present. I would  
5 just add, Mr. Blake, that the number of trainees is  
6 being expanded this summer, and again this fall.

7 Through the Nor-Tran program  
8 they are adding some 15 new positions in construction  
9 training this summer and I believe another eight posi-  
10 tions in operation's training this fall.

11 MR. BLAKE: Looking back at  
12 it now, I see the pipeline will be crossing somewhere between  
13 five and six miles below McPherson here. From McPherson  
14 alone you had--there was only two from McPherson went  
15 out for training. And McPherson is one of the biggest  
16 settlements down the Mackenzie.

17 And seeing the pipeline be  
18 passing by that close, I think you should take maybe  
19 10, 15 from McPherson each year.

20 That two you guys took out  
21 a few years ago, one is out on a job, one is back here.  
22 And that one of the camps will be a few miles out of  
23 McPherson here. Where you are going to have your 800  
24 men. Out of that 800, could you at least have 20  
25 Natives from here trained before the pipeline comes  
26 through.

27 MR. WORKMAN: I am surprised  
28 when you say there is only two that have been on the  
29 training program from McPherson. I don't have the  
30 exact figures in front of me but I was of the opinion



1 that there is more than that that have come from  
2 McPherson. Now, the number that we can take in to the  
3 training program is limited, because all of those that  
4 are in the program have been guaranteed jobs by the  
5 participating companies, regardless of whether the  
6 pipeline is built or not.

7 Now, until we get word that  
8 there is going to be a pipeline, it is pretty hard to  
9 expand the program and still guarantee jobs for these  
10 people. We don't think it's a good idea to train people  
11 into a job that isn't going to exist.

12 We want to make sure that  
13 when they have finished their training that there is  
14 going to be a job for them. So once we do know that  
15 the pipeline is going to be built, then we can really  
16 expand, and will expand the training program.

17 And I can assure you that  
18 people who want to get this training from Fort McPherson  
19 will have every opportunity to get onto the program at  
20 that time. Maybe Mr. Ellwood would like to add some-  
21 thing to that?

22 MR. ELLWOOD: Well, I too am  
23 surprised that there are only two trainees from McPherson.  
24 I thought there were more than that. But my  
25 understanding is that the Nor-Tran people, particularly  
26 Mr. Archie Drew, are now recruiting people for new posi-  
27 tions open this summer. And also looking for people  
28 possibly in the fall.

29 If anyone here were interested  
30 in getting on one of these training programs, I would





1 advise them to contact the Nor-Tran program in Inuvik.  
2 The person there is Ed Lenny, if they would get hold  
3 of him, I am sure he could arrange for them to be inter-  
4 viewed or to have their application, or to have Mr. Drew  
5 come around here.

6 MR. BLAKE: How long did you  
7 say it takes a person to be trained?

8 MR. WORKMAN: I gave the  
9 estimate of five years to train a man to the higher  
10 level of jobs, say, in compressor stations. The com-  
11 pressor station operator, say, or gas plant operator.  
12 This is on-the-job training where he is trained to do  
13 each step of the job progressively until he is right  
14 up to the top level.

15 THE COMMISSIONER: Well, you  
16 said you had 91 people on the Northerner Training Pro-  
17 gram. Were those 91 people from the Northwest Terri-  
18 tories?

19 MR. WORKMAN: Yes. Actually  
20 the southern boundary of the area that we were looking  
21 at was, I think that they call it the Twenty-fifth  
22 Range Line, which is just slightly below the sixtieth  
23 parallel.

24 THE COMMISSIONER: Well, of  
25 the 91 people, was it thought that all 91 would under-  
26 take five years of training?

27 MR. WORKMAN: If they so  
28 desired to go on that far and were capable of--

29 THE COMMISSIONER: That is,  
30 to train them to work on the pipeline after it is built,



1 and you have your 200 people running it?

2 MR. WORKMAN: Yes, yes.

3 THE COMMISSIONER: And you  
4 need five years training to qualify for those jobs?

5 MR. WORKMAN: Yes, to qualify  
6 for the top jobs.

7 THE COMMISSIONER: Well, of  
8 the 91 people, are they all in the program now?

9 MR. WORKMAN: Yes.

10 THE COMMISSIONER: Do you  
11 happen to know how many are Native Indian or Eskimo,  
12 or Metis people, as opposed to white people? Have you  
13 any breakdown?

14 MR. WORKMAN: Mr. Ellwood  
15 just advised me that the last figure he got from Mr.  
16 Drew was 90 per cent Native, 10 per cent white. And  
17 by 10 per cent white, we mean white people that have  
18 been in the Northwest Territories for a good number of  
19 years.

20 THE COMMISSIONER: Yes, north-  
21 erners are white and Native.

22 MR. WORKMAN: Right.

23 THE COMMISSIONER: I just  
24 wanted to know. Any other questions?

25 MR. BLAKE: You say it takes  
26 five years to train them. If you started building a  
27 pipeline today, just supposing, how long would it take  
28 before completion?

29 MR. WORKMAN: Well, it would  
30 take--well, if we were to actually start digging the



1 ditch today, it would take at least two years before  
2 the pipeline was completed to the Delta.

3 MR. BLAKE: Now, you say it  
4 takes five years to train a person and you say it takes  
5 two years to build a pipeline. And you said you can  
6 not, you didn't say you can not, but you say you have  
7 to wait to get a definite answer if you are going to  
8 build a pipeline.

9 Okay, if you got your answer  
10 today, and you put these people on the training for  
11 five years, they will finish three years after the  
12 pipeline is finished now.

13 MR. WORKMAN: That is the very  
14 reason we wanted to get the pipeline going, or the  
15 training program going before we get the word, so that  
16 we could have people well-trained as the pipeline was  
17 completed.

18 We are not waiting to get the  
19 word that the pipeline is going to go before we start  
20 our program. We have already got 91 trainees well  
21 under way.

22 MR. BLAKE: It seems ridiculous  
23 for me, you said before that you had to wait to get  
24 a definite answer.

25 MR. WORKMAN: Well, what I  
26 said there I believe was that when we get a definite  
27 answer, we will expand our training program to train  
28 people in all aspects of it. But in the  
29 meantime we will certainly have a core of people being  
30 trained to look after these initial jobs.





1 MR. BLAKE: Thanks a lot.  
2 (WITNESS ASIDE)

3 THE COMMISSIONER: Well, we  
4 have time I think to hear from one more person before  
5 we stop.

6 Well, it's almost eleven,  
7 maybe we will stop now. Let me apologize for being  
8 late tonight. The Chief and Neil Colin took my staff  
9 and me for a boat ride up the Peel River.

10 We visited the old camp at  
11 Old Fort and the camp at Eight Mile. And we were very  
12 interested to see the camps. I think some of you  
13 know that when I visited the Mackenzie Valley last  
14 summer, I visited the camp that you have at the mouth  
15 of the Peel River, and spent a little while there.

16 We'll adjourn. And I want you  
17 to know that seeing those camps, helps me to understand  
18 what you mean when you tell me how important the land  
19 is to you and your way of life.

20 I want to adjourn then and  
21 we will start at one o'clock tomorrow afternoon. Yes?

22 CHIEF CHARLIE: I have one  
23 short letter here from an old woman.

24 THE COMMISSIONER: Fine, go  
25 ahead.

26 CHIEF CHARLIE: It will take  
27 only a couple of minutes to read before you adjourn.

28 THE COMMISSIONER: Certainly,  
29 go ahead.

30 CHIEF CHARLIE: Maybe you have  
to swore her in?



1 THE COMMISSIONER: Oh, yes,  
2 would you swear the lady?

3 MARY NEYENDO: Sworn.

4 CHIEF CHARLIE:

5  
6 It reads; "Dear Mr. Berger,  
7 long ago peoples used to live good. Today it's not  
8 like that. I am an old woman. Still I think of my  
9 grandchildren and their future. I don't want this  
10 country to be destroyed. I would like to see the coun-  
11 try to be the way it is.

12 No more game we depend on  
13 wild life. It will be a long time now that-it's been  
14 a long time now since the government has been after  
15 us that the peoples still say no. We don't want to  
16 give it up. Give up our land.

17 Although the oil companies  
18 is destroying it. If we get money, it won't go very  
19 far. So thank you. This is Mary Neyendo."

20 THE COMMISSIONER: Thank you.  
21 That statement will be marked as an exhibit.

22 (LETTER OF MARY NEYENDO MARKED AS EXHIBIT C-45)

23 CHIEF CHARLIE: Also, Mr.  
24 Berger, before you adjourn the meeting, that the whole  
25 afternoon we have some teenager girls cooking in the  
26 home ec, they say they are going--which is for coffee  
27 and tea tonight.

28 So I think they got everything  
29 pretty well ready. Except for the coffee, they got  
30 some juice and the reason they are doing this, they



1 want to see the dance tonight. And we hope you will  
2 stay for the dance too. Thank you.

3 THE COMMISSIONER: Thank you.

4 Could I say that tomorrow at  
5 one o'clock we will start again and Mrs. Sarah Simon  
6 will show some more slides then. So if we all come  
7 at one o'clock tomorrow afternoon, we will see some  
8 more of those slides. I certainly enjoyed Mrs.  
9 Simon's slide show last night. So we will start  
10 again at one o'clock tomorrow.

11 We will go along until  
12 five or six, and then we will come back at 8 o'clock  
13 tomorrow night. And carry on as long as we can.  
14 I'm happy to carry on late into the night. I have  
15 gotten used to staying up late since I got to McPherson,  
16 so I am ready for anything.

17 Yes, Mr. Itsi.

18 MR. ITSI: Can you start  
19 at 10 o'clock?

20 THE COMMISSIONER: Well, we  
21 can start at 10 o'clock in the morning. I don't know  
22 how the people feel about that. It's okay with me.  
23 But we might find that people would be a little tired.

24 What do you and the members  
25 of the Council think, Chief?

26 CHIEF CHARLIE: Well, 10  
27 o'clock sounds all right. But this morning at 10 o'clock  
28 was hardly anybody around. So--

29 THE COMMISSIONER: Well, I  
30 think we--



1 CHIEF CHARLIE: You are going  
2 to start--you are going to stay late tomorrow night.  
3 So it's okay at one o'clock.

4 THE COMMISSIONER: Well, let's  
5 start at one o'clock and we'll stay late tomorrow  
6 night.

7 Tomorrow morning I am going  
8 to visit a lady who is ill and who wants to say some-  
9 thing to me. And I will go up there in the morning.  
10 So we'll adjourn until one o'clock then. And thank  
11 you very much for the dry meat, and I am going to share  
12 it with my staff, who need some good food.

13 So we will see you tomorrow  
14 at one. We will see you at the dance.

15 (PROCEEDINGS ADJOURNED)

16  
17  
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Community 12

AUTHOR

Mackenzie Valley pipeline inquiry:  
Community Vol. 12 Ft. McPherson, N.W.T. 9 July 1975

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MACKENZIE VALLEY PIPELINE INQUIRY

IN THE MATTER OF AN APPLICATION BY CANADIAN ARCTIC  
GAS PIPELINE LIMITED FOR A RIGHT-OF-WAY THAT MIGHT  
BE GRANTED ACROSS CROWN LANDS WITHIN THE YUKON  
TERRITORY AND THE NORTHWEST TERRITORIES FOR THE  
PURPOSE OF THE PROPOSED MACKENZIE VALLEY PIPELINE

and

IN THE MATTER OF THE SOCIAL, ENVIRONMENTAL AND  
ECONOMIC IMPACT REGIONALLY OF THE CONSTRUCTION,  
OPERATION AND SUBSEQUENT ABANDONMENT OF THE ABOVE  
PROPOSED PIPELINE

(Before the Honourable Mr. Justice Berger, Commissioner)

Fort McPherson, N.W.T.,

July 10, 1975.

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PROCEEDINGS AT COMMUNITY HEARINGS

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APPEARANCES:

Prof. Michael Jackson for Mackenzie Valley  
Pipeline Inquiry;

Mr. Darryl Carter for Canadian Arctic Gas  
Pipeline Limited;

Mr. Glen W. Bell for Northwest Territories  
Indian Brotherhood, and  
Metis Association of the  
Northwest Territories;

Mr. John Ellwood for Foothills Pipe Lines.

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July 10, 1975

Fort McPherson, N.W.T.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT AT THE  
HOME OF LUCY VANELTSI)

LUCY VANELTSI, sworn.

(Interpreter, JIM  
SITTICHINLI, resumed.)

THE COMMISSIONER: you  
tell me whatever is on your mind.

THE INTERPRETER: I am  
just explaining to her about your visit, Judge, how  
you are going about this Inquiry, that you are travelling  
all over, especially the Mackenzie Valley, that you  
are looking into what the people have to say about  
this pipeline.

A She was born in  
November 1902 and soon after she was born her mother  
left her so she was raised by her grandmother. In  
that way she never had no chance to go to school. She said  
that she had two uncles and they had very important  
jobs in the early days. They both worked at the  
beginning of the police patrol that used to come  
from Dawson to here and they both were very important  
people.

She was married in 1919 and  
she remembers very well in 1921 when the treaty was  
signed. They put up a big tent right out on the mud  
bar, there used to be a big mud bar right outside  
the Hudson's Bay, that is where they put up a big  
tent and everybody was gathered there with Mr.



1 Conrad, and that is where the treaty was first  
2 signed in 1921.

3  
4 She saw from in the  
5 back row that they had a big table there and they  
6 were crowded around the table and she saw there was  
7 a lot of money on the table. She said his uncle  
8 Chief Julius was chief at that time and he knew  
9 that and seen so much money there he wanted to  
10 know why they were going to give them the money.  
11 He wanted to know first of all before he would  
12 take it.

13 The first thing Mr. Conrad  
14 done was to get up and shake hands with the Chief  
15 and he says this is what the Queen or the King is  
16 doing with you with this money, to shake hands with  
17 you with this money. By the Queen doing this you  
18 will never be lost. This was the agreement by  
19 shaking hands.

20 When he was shaking hands,  
21 while he was still holding hands with Mr. Conrad the  
22 Chief said he really wanted to know how it was going  
23 to be if he would receive the money. Mr. Conrad told  
24 him, "You see that big black mountain down there. It  
25 can't be moved, so that is the way that you and your  
26 people are going to be in the future." He said that  
27 is the agreement that was made at that time. After  
28 he come to understand a bit of what Mr. Conrad was  
29 doing with him, he finally agreed to take what was  
30 there for him so that is how he took the money and  
before then it was that the first missionary came.





1 They didn't understand too much at that time, but  
2 they were beginning to get baptized that time.

3 This was quite a while  
4 before then, so after the missionary had come and  
5 the people believed in the missionary work, and  
6 then this is old Chief Julius, he also worked  
7 with the mission and at the same time he was a  
8 chief for the people.

9 Well, since then, because  
10 he done this good work with the people, he thought a  
11 lot of the people and during that time they used  
12 to -- people used to send their children to Hay  
13 River School. It was quite a distance from here  
14 and he didn't quite agree with that so he asked  
15 if the Government would put a school here for the  
16 people and he said it is through him that today we  
17 have a school here and that is the reason why they  
18 call the school Chief Julius School.

19 THE INTERPRETER: I am  
20 just trying to explain what she should say, because  
21 she wants to talk more about what happened in the  
22 past many years ago, and that is what she was telling  
23 her and we want to get more of what is going to come  
24 in the years to come. That is her daughter and she  
25 also has children now, so in that way we also look  
26 forward.

27 A Now she is in the past.  
28 she says we had lots out of this country. Everytime  
29 people go out hunting or fishing, whatever they  
30 get they share with everybody and in that way everybody



1 is happy. Now today she says we hear about on this  
2 pipeline, well, as older people we are beginning  
3 to worry about it, how it is going to turn out --  
4 Not for us old people, but for our younger generation.  
5 We worry about what is going to happen to our  
6 land.

7 She says she always listens  
8 to the radio and she is following up the news of the  
9 Inquiry and she also hears lots of names of the  
10 country mentioned. She says she knows all about it  
11 and today she think about it and what is going to  
12 become of all the good country that was in the  
13 one time. What is going to happen from now on in  
14 the future. Is that the only place that a pipeline  
15 could be put in?

16 THE COMMISSIONER: Well,  
17 there are some other places that have been suggested,  
18 so if you feel that it should go somewhere else  
19 and not past McPherson under the Peel River, you  
20 can say that.

21 A She says last  
22 year she went out to Tuktoyaktuk for the Northern  
23 Games and on her way she seen a lot of good country,  
24 a lot of empty country. She says why don't they  
25 put the pipeline around in that part where there  
26 is nobody. She says she don't like it to  
27 cross the river too close to town here. She says  
28 she too doesn't agree that the pipeline should be  
29 coming in. She says she has a daughter around  
30 B.C. She went out there to visit last year, two years



29 SARAH SIMON, resumed.





1 THE COMMISSIONER: Feel  
2 free to move to the chairs in the front if you like,  
3 the people standing at the back, feel free to come  
4 to the front.

5 A This picture that  
6 you see on that screen now is on New Year's Day,  
7 we were dancing in the community hall. The first  
8 couple you see is Abraham Francis and myself. The  
9 next couple is James Simon and Laura Thompson and  
10 the next one was Fred Firth and Mrs. Blake, but they  
11 are behind and we couldn't see Fred, and this is  
12 what we call duck dance, and, boy, we enjoy ourself  
13 there.

14 This is in Aklavik, the  
15 same year I think, and this house we used to call  
16 the Peffers(?) a good restaurant, and Eskimo do  
17 their dances there. You could see John  
18 dance with Eskimo right there, and that woman is  
19 Margaret Cogne(?) and maybe Victor Allen knows  
20 this other woman.

21 This is in Aklavik in  
22 those days, across the river there, where they called  
23 it the Hudson Bay Channel, there Eskimos used to land  
24 there and pitch up their tents there, some houses  
25 there too, and you see the Eskimos those days with  
26 all of their big boats with big motor in it and they  
27 come up -- and they come up right after the ratting  
28 and some of them remain there for the summer. Look  
29 how nice Eskimoused to live too.

30 This is in Aklavik. This



1 is the church and Austin's Cathedral used to  
2 be and this is how they used to go to church. This  
3 is an ordination service, I think, but I don't really  
4 remember, and you could see Jim Edward right there,  
5 Jim Sittichinli, Mr. Gibson, Reverend Gibson, and  
6 Bishop Marsh and Mr. Jones and Mr. Shepherd you could  
7 just see his bald head there, turn around, and  
8 again John Doe as he is the usher in the church  
9 and behind there is the choirs girls from here and  
10 girls from Eskimos.

11 This is in the same building,  
12 that they're still dancing.

13 And this is your old town,  
14 McPherson. All these buildings, the Indians, the mens  
15 build them for themselves, it is their own buildings  
16 and all done away with now and used to be so good  
17 up this -- there's their church and there is their  
18 community hall, that white building there, and this  
19 is what they mean -- that the Hudson Bay got the  
20 highest spot in the town yesterday, that's where  
21 they are way up there, and they start moving us and  
22 moving us and finally we -- they moved us into  
23 Marsh Lake way up there where it is swampy and dirty  
24 place and so far for us to go to church and the  
25 same with store, we have to go walk to store and  
26 my people cannot even have taxi of their own and it  
27 is always hard. This morning I had a hard time  
28 packing my little groceries home, the way it is  
29 now.

30 That is in the same



1 community hall. This is in our community hall and  
2 the ones that are doing jig, as you seen yesterday,  
3 people jig, it's Herbert Blake and that old lady  
4 is Harriet Stewart, they are dancing jig and you  
5 could see the people sitting around on the floor and  
6 that dance was on a such cold day, so they all  
7 have their parkas on, sitting on the floor watching.

8 And this is one of the  
9 community feasts. Everybody sat on the clean ground  
10 there as you see it and we are all enjoying our  
11 feast and the mens serving.

12 This is one of the barges that  
13 came when the channel is beginning to change. They  
14 had to land a little bit below down William Firth's  
15 place.

16 This is right down below  
17 from Hudson Bay, is right down below. There was a  
18 nice little creek running below here and you could  
19 see the hill is so different today and we used to  
20 land here right after the ratting, we used to land  
21 right here and right up here. Everybody packed their  
22 belongings up on their back, nobody bothered about  
23 truck or anything to help them, we just packed every-  
24 thing up to our houses and we are still very, very  
25 happy doing that, and then soon bulldozers came  
26 around and they made the road on the side of that  
27 hill and now you can see that hill is not the  
28 same anymore.

29 And this is in the  
30 winter our church, we have fire in it whenever we are



1 going to have church service, we have fire, wood,  
2 we're burning wood in this church, and yet it is  
3 comfortable.

4 This is a day after  
5 Easter. We had a woman auxilliary meeting in the  
6 mission house and after we came out we done so well  
7 and we were very, very happy with all our older  
8 people here so we had the picture taken. This one  
9 standing first with pink parka on is Mrs. Elizabeth  
10 Kumizzi. She is still here. The next one is Mrs.  
11 Anne Blake, she is gone, and the next one is Louisa  
12 Snowshoe and in behind her that woman laughing and  
13 smiling so hard, that is Lucy Vaneltsi, and then  
14 in front is of course, is Harriet Stewart, is so  
15 happy, she's laughing, then behind her is Mrs. Edith  
16 Kay. She is still living, and then there is that  
17 one smiling showing her teeth, that is Sarah  
18 and then the next, in the front, that nice looking  
19 old lady is Jim Edward's mother, Mrs. Edward, and  
20 the next one of course is me.

21 And this is one of the  
22 barge came in, I think, even in those days even how  
23 what time of the night boat arrived, everybody rushed  
24 there to watch and this is where the people are  
25 watching the boat.

26 Now, this is well-known  
27 people. This old lady is still living, but the  
28 old man is gone. This is old Robert -- old Robert George  
29 and Mrs. Robert, and that little girl way behind there  
30 that is Mary Kay. And this is their own house which





1 he built and they lived happily in there, the most  
2 happiest couple that I remember is these old people,  
3 and their daughters and their sons are sitting in  
4 here watching them.

5 This is one of the  
6 barge again, Pelican Rapids, land right here. This  
7 is the beginning of a bad landing down here, so  
8 they're going further down land every time they  
9 come up.

10 And this is your old town  
11 again. The same as the one we see before, I think.

12 And this is in our old  
13 church, up in the chancel and that was the first  
14 moosehide with beadwork on we had made for our  
15 church, and those hangings also beadwork on it and  
16 it is a moosehide given by one old woman -- that old  
17 blind woman that you seen in the picture yesterday,  
18 the top is that real nice,  
19 white, mooseskin she gave -- or donated for this work  
20 and the background of this beadwork was again the  
21 moosehide given by one woman and all the beadwork done  
22 by the old womans -- the womans of the womans auxiliary.  
23 Now these days we call ourself A.C.W. Anglican Church  
24 Women, and they -- this, everything, the beads, all  
25 the beads was given by Abraham Alexei, \$15.00 worth  
26 of beads, those days beads don't cost very much, and  
27 it took us long time to make it, but it is there and  
28 now since Aklavik lost their church, everything was  
29 lost there, we gave it to our bishop, retirement gift,  
30 we gave it to him to do what he pleased with it. He's



1 given it to the new church that is to be built in  
2 replace of that old one burnt down. So it's in  
3 Aklavik now. We gave it away, but we have made  
4 another one just like it. It's in our church  
5 down here.

6 And this is the  
7 grave of the Lost Patrol, 1911, that big cross, and  
8 the cement covered on it, and the chain, that's  
9 four police and this other grave is Mr. and Mrs.  
10 John Firth, have one graveyard on them, and we used  
11 to keep our grave very clean and tidy all the time,  
12 and it's not like that anymore now.

13 This is -- this woman  
14 holding baby, that's Mrs. Spori, the game warden we had  
15 here one time, Mrs. Spori, with her baby and the  
16 next one is Mrs. Meet, Corporal Meet's wife, and  
17 the next one is Barbara -- I forgot the name.

18 And this is the school  
19 children, the school children. You could see James  
20 Herbert over there amongst the children, and some of  
21 them are Eskimo children, taken in Aklavik.

22 Now you see all these  
23 fishes right in town here, right behind my house. One  
24 time one summer John Robert and Mr. Spori I think,  
25 they are killing so many fish/<sup>this</sup>time of year in July,  
26 and they asked me to make dry fish for them, so  
27 they bring a big tub full of fish every morning and  
28 I cut them behind here and I dry them and after  
29 its dry they take them home, and they share it  
30 up with me. This is how we used to live, making dry



1 fish even right in town here. Now we can't do that.

2 This is in the wintertime,  
3 and this is a sled trail we have and that's Chief  
4 Julius house.

5 And this is the picture,  
6 you seen one of it, you seen yesterday, and this is  
7 one of the two and this is on that lake back here and  
8 I'm teaching this girl how to set trap -- rat trap.  
9 It's Effie Sebastian, I think, and myself there. --  
10 Maybe I was a good trapper training somebody for  
11 trapping.

12 This is Laura Thompson  
13 cleaning fish. I think it is taken at mouth of the  
14 Peel.

15 This is how we used to  
16 issue the ration to the old people, just to  
17 the needy people, whoever need it, and this is  
18 how we used to do it. This little house is just  
19 half broken down, and the banks is still standing  
20 up, every time I see it I always remember those  
21 years. This is Lucy Rat (?) Lucy Rat (?) she already  
22 got her little ration which is that little piece of  
23 salt pork, bacon and a tin of baking powder, and maybe  
24 few pound of lard -- tallow, not lard, but tallow,  
25 and I don't know -- that little bag of beans, that  
26 is what she got in her bag, but she left her 24-pound  
27 flour in the house here and she is going to come back  
28 and get it, and there is Mrs. Blake coming for hers  
29 too.

30 And this is in Aklavik before





1 they moved over to Inuvik, this is how it looks.

2 That is the church with the  
3 tower there and the other one is hospital, I think.

4 This is the same picture  
5 again. This is the same barge as before.

6 Now, this is one classroom  
7 day school. You seen the other time part of it.  
8 girl  
9 The first/sitting is Catherine Blake and the next  
10 one is Frank Firth, and the rest maybe you could  
11 just recognize yourself there, but this one was just  
12 lots of pretty hair barette on is Florence Peterson,  
13 I think.

14 This is our teacher's  
15 small living room.

16 This one is some girls  
17 around from here with their teacher there. You could  
18 see Mary Effie Snowshoe there talking to teacher or  
19 friend, I don't know, and the next one is Minnie  
20 Francis, and then the other girl is -- I think it  
21 is Effie Robert. -- Maybe Mary Effie is not in  
22 here, but maybe Charlie Snowshoe sees his wife there.

23 This is that teacher's  
24 living room, that's her best chair, that is why she  
25 took the picture.

26 This is one of the  
27 planes. You see Mr. Devin there on the dock, leaving  
28 McPherson.

29 This is the same plane  
30 leaving.

This is Abraham Francis.



1 He built this house. It is still standing up there  
2 in town. He built this house his own way, with  
3 just axe and saw, that is all he had and he built  
4 it here and then just when he moved in we took a  
5 picture of it and in those days when a man built his  
6 house, when it take him years and then when he finished  
7 completed, and the first day they move in they come  
8 and ask the minister to come and have prayers in  
9 his house so that his house will be peaceful, be a  
10 good home. So when he moved into here we had service  
11 in his house first before he stayed there.  
12 And this little boy you see is one of the Martin  
13 boys. Now they are not that small.

14 Now this is -- this  
15 picture is taken in Aklavik. One time we stayed one  
16 year in Aklavik in 1971 and on -- we had a Christmas  
17 party, just womans and without letting my womans know  
18 that I am going to do some dancing, I went into another  
19 room and I put these old costumes on and I came in  
20 and sing for myself, I don't know what song I sang,  
21 but I sang anyway and danced. It was so funny.

22 That is one of the teachers  
23 there, Mrs. Watson.

24 And this is up in the Yukon,  
25 from Old Crow -- from Dawson to Old Crow the boat named  
26 "Brainstorm" brings the freight every year. Some good  
27 years they make three trips, some good years they even  
28 make four trips and some bad year, low water and <sup>it's</sup> hard,  
29 they make two trips, and this is one of the trips that  
30 they're making. Somewhere up the Yukon River and there



1 are beautiful rainbows. My friend took a picture and  
2 later on she sent it to me.

3 THE COMMISSIONER: Thank  
4 you very much, Mrs. Simon.  
5 (APPLAUSE)

6 (WITNESS ASIDE)

7 THE COMMISSIONER: Ladies  
8 and gentlemen, I think some others have things they  
9 want to say, so just go right ahead.

10 Miss Hutchinson, there is a  
11 lady here to give evidence.

12 ANNIE GEORGE, sworn.  
13 (Interpreter, Mr. Francis)

14 THE INTERPRETER: Mr. Berger,  
15 I have a brief -- a very short note from this little  
16 lady here.

17 " Mr. Berger,

18 I am now old and there is no one  
19 older than me in Fort McPherson.  
20 Animals that look after their young in  
21 dens or nest are like me looking after  
22 her children and grandchildren. I am  
23 scared for my relations when I hear  
24 about the pipeline coming through. I  
25 pray to God every day so the pipeline  
26 won't come through."

27 From Mrs. Annie George.

28 THE COMMISSIONER: Thank  
29 you very much, ma'am. That statement will be marked  
30 as an exhibit and form part of the/record of the  
permanent



1 Inquiry.

2 (LETTER OF ANNIE GEORGE MARKED EXHIBIT C-46)

3 (WITNESS ASIDE)

4 THE COMMISSIONER: Thank  
5 you very much, ma'am.

6 There is another lady I  
7 think who is ready to proceed with her statement.

8 MARY FRANCIS, sworn.

9 (Interpreter, Mr. Charlie)

10 THE INTERPRETER: Her  
11 name is Mary Francis.

12 A First of all I would  
13 like to say how glad I am to see you sitting here  
14 with us to discuss our concern with you. The chief  
15 and the council and all who are on one side here,  
16 I am happy that they are all here too.

17 I was born in the Yukon  
18 and from there I came into McPherson. This is where  
19 my mother-in-law stayed with me.

20 In 1926 at that time she  
21 said she was sixteen years old. From that time,  
22 she says, I have been living in McPherson. She  
23 remembers the time when the Queen -- I mean, the  
24 Chief told the -- my mother that time when the  
25 chief spoke to my mother, he told her that we're  
26 going to accept treaty money and we want you to  
27 take treaty money too.

28 At that time when they  
29 said "treaty money" she didn't even understand what  
30 treaty meant. After they received the treaty money





1 they used to have an Indian agent come down and  
2 pay out treaty at that time. She was married before  
3 and her husband was interpreter for this Indian  
4 agent.

5 At that time I remember  
6 my husband was interpreter for his people. At that  
7 time that Indian agent told the people, never  
8 give up your land. There is a time coming and  
9 always that your younger children will be living  
10 off the land and how long he sat there all the time  
11 she said her husband was interpreter and many years.  
12 It was long time, this was set and I still remember  
13 that. At that time she remembers the Indian  
14 agent told her husband that the white people will  
15 be coming and they will be cutting timber off your  
16 land. And now today we see a white person come into  
17 this country and it is not long he takes off which  
18 way he wants to go, around there, he do what he  
19 likes.

20 But it's forty years since  
21 her husband died, and since that time -- during that  
22 time she puts her house there and she has to pay  
23 for that land. If there is white people around and  
24 if there is no room, they are going to take it  
25 away from you. And she is having a little part  
26 time job and little money she's earning, she said,  
27 how much they want me to pay for it, that much I  
28 pay for it. And how many made a speech since the  
29 Inquiry started and how many said I don't want  
30 pipeline. She said she agree with that and she is one



1       that don't want to see that come.

2                               After they make that  
3       pipeline, she said, what we going to have from  
4       that? This is one reason why I really don't want  
5       pipeline come through my land, and some of the  
6       words that I remember and this is what we were  
7       told, a treaty Indian would be looked after and  
8       would not be chased around any place where he  
9       don't want to go.

10                           Now today has come we  
11       see all what is done on our land. Long ago at that  
12       time, she says, it's about from hostel on that main  
13       road, down that way, is where the people used  
14       to live and that was real nice ground, she says,  
15       and afterwards they start giving us houses, they  
16       put us further south this way and it was pretty  
17       mushy over there and muskeg and it is wet ground  
18       and she said, putting houses there she figures she  
19       was about the first one -- that they put her house  
20       there. That ground was so wet she said she had  
21       to hire one person who had a tractor and something  
22       to haul gravel with. She hired him and she hauled  
23       gravel. She said she altogether got seven loads  
24       of shell for that place, and she said she kind of  
25       sympathize me so she charged me only \$5.00 a load.  
26       That is where my house was put, and she says that  
27       she is still paying for that lot yet.

28                           And this is how we are  
29       ill - treated, now it is that way all the time.

30                           Now, one other thing she



1 said the time and after she was married, around that  
2 time she said she remembers some of these young  
3 boys and girls who are here today, they were small little  
4 children and they are grown up now and they are  
5 chief and council and they're talking for their  
6 people like they used to do.

7 Some of the speeches  
8 that were presented to you, she said, people told  
9 you about how the game is and how it will be and  
10 all this, she said. You already heard enough on  
11 that so I wouldn't say nothing about that.

12 This is all I have to  
13 say and thank you very much.

14 THE COMMISSIONER: Thank  
15 you very much, ma'am.

16 (WITNESS ASIDE)

17 CHIEF CHARLIE: Mr.  
18 Berger, I have one old man given me a letter here,  
19 does he have to be sworn in?

20 THE COMMISSIONER: Yes.

21 GEORGE VITTEWKA, sworn.

22 CHIEF CHARLIE: The  
23 letter reads:

24 "My name is George Vittrewka, senior.

25 I am very happy to see you here in our

26 town and I would like to say a few words

27 myself what I've got on my mind. I don't

28 want to see our land go like I put a handful of

29 dry mud one side and a handful of money on

30 the other side and count it and we will





1 know how much it will be if we put fire to  
2 the mud. It will never burn, but the money  
3 will burn, Mr. Berger. We live on our land  
4 that's why we live. We hunt for fine fur,  
5 caribou, moose, fish. If they happen to  
6 put the pipeline through is it everything  
7 won't be the same. I don't think so when  
8 they were through with bunch of tractor and  
9 bulldozer one time it sure spoil lots of land,  
10 creeks and lakes. If the pipeline comes  
11 through we could tell if the water is clear or  
12 dirty. We really make a good use of our  
13 caribou, we use the meat to eat and the skin and  
14 the leg part we use for mukluks. We wear it when it is  
15 60 or 70 below. So for this please help us  
16 and we are going to hear you sometimes through  
17 the radio like we hear what went before you.  
18 Come down here, this is all I say to you.  
19 Out on the preserve there is one lake named  
20 Neyendo Lake, that is named after my mother  
21 father, and about 25 miles up the Peel River,  
22 one creek named after my father named Vittrewka  
23 Creek. This Neyendo Lake we use it for fish  
24 and Vittrewka Creek good many people move  
25 through that place to trap for fine fur and also for  
26 caribou hunt. So this is all I can say to you  
27 so goodbye and good luck to your trip to Old  
28 Crow and wherever you go with your staff."

29 From George Vittrewka, senior.

30 THE COMMISSIONER: Thank you



1 very much, sir. That statement will be marked as  
2 an exhibit and form a part of the permanent record  
3 of the Inquiry.

4 (STATEMENT OF GEORGE VITTREWKA MARKED AS EXHIBIT C-47)  
5 (WITNESS ASIDE)

6 MR. CHARLIE: The one  
7 letter here was handed to us yesterday morning, it  
8 was sent to us, and the person who sent it he  
9 said that he had, his throat was pretty sore so  
10 he couldn't read it, so he sent it to us and we have  
11 to swear him in before we can do it and he is not  
12 here.

13 THE COMMISSIONER: He  
14 is in town though?

15 MR. CHARLIE: Yes, he lives  
16 in town.

17 THE COMMISSIONER: But  
18 he is just home not feeling well?

19 MR. CHARLIE: Oh, I  
20 think he is walking around, so --

21 THE COMMISSIONER: Well,  
22 whenever he comes along and you see him, we will  
23 swear him in and then we can read that.

24 Oh, yes, Mr. Simpson.

25 MR. SIMPSON: I have a  
26 statement by Mary Effie Snowshoe and she is right here  
27 if you could swear her in.

28 MARY SNOWSHOE, sworn.

29 MR. SIMPSON:

30 "Mr. Justice Berger,

We would like first to welcome you



1 to the settlement of Fort McPherson.  
2 Young and old people of this community  
3 have expressed their views and after  
4 two days they have opposed the construction  
5 of the pipeline. During the 1950's the  
6 DEW line was constructed. This DEW  
7 line was constructed for the security  
8 of the people of North America. Although  
9 the Government of Canada and the Government  
10 of the United States jointly built the  
11 DEW line financially, they both ignored  
12 the security of the Native people of the  
13 North both economically and socially.

14 During the starting phase of this  
15 construction of the various DEW line  
16 sites, the Native people were employed  
17 after which highly technical trained  
18 personnel were brought in from the south.  
19 At the time of this brief we question you, Mr. Justice  
20 Berger and the representatives of the  
21 pipeline consortium, what is progress?  
22 You will realize that progress in the  
23 white man's definition is not necessarily  
24 of the Native people.

25 We will now go back to the DEW line.  
26 After the completion of the DEW line the  
27 majority of the Native people were laid  
28 off. Today the major oil companies are  
29 talking of major construction of the pipeline  
30 where 500 employees will be involved and after



1 the construction of the first phase  
2 they will bring in again the highly  
3 technical trained staff to take over.  
4 We ask these companies are they prepared  
5 to compensate the Native people. We have  
6 heard of drinking problems and crime  
7 rate. Are we to sit back and let this  
8 happen to us? What has happened to  
9 our brothers in the south and our  
10 Eskimo brothers. We believe that  
11 development or progress is when the people  
12 decide on their own future and for  
13 their children's future.

14 We now question the validity of  
15 the hearing. Is it another of the  
16 Government's window dressings, or is  
17 it an era when the democratic system  
18 will come back to the people?

19 In conclusion, sir, although all  
20 the views of the Natives may seem on  
21 the negative attitude, those same  
22 views are very positive towards the  
23 protection of our culture, environment,  
24 and most of all, our rights to govern  
25 development of our lives.

26 Thank you."

27 THE COMMISSIONER: Thank  
28 you very much, ma'am. That statement should be  
29 marked.

30 (STATEMENT OF MARY SNOWSHOE MARKED AS EXHIBIT C-48)





(WITNESS ASIDE)

THE COMMISSIONER: I

take it that you will let me know when you think that  
you want to interpret something, is that all right?

We have a witness to  
swear.

PETER THOMPSON, sworn.

(Interpreter, Mr. Charlie)

THE INTERPRETER: Mr.

Berger, this is Peter Thompson.

A He says, I am an  
old man and I lived from way back. This month  
his age is 82 years old. What is showing on the  
wall to our left here how big a country you see us  
older people long ago when we go around there we  
made our living on that. At that time, he says,  
people, old people like me, they used to live in  
McPherson while the younger people go in the bush,  
he said, they were very poor.

At that time they never get  
much help. The year 1921 was when the people signed  
treaty. From that time it is now 54 years. At  
that time the man's name was Mr. Conrad and he  
laid down some rules which were a promise to us.  
And before the Chief signed treaty the Chief  
asked him, "You're going to give us that money means  
you are going to take this land away from us?" and  
he told him, "No," and he said the way you have  
been making a living on it before, that is the  
way you are going to still carry on.

And wherever <sup>it</sup> /is a good



1 hunting ground and good place for fishing, he said  
2 he told him, they can set up a post and put a  
3 marking on it, I.D., that Mr. Conrad told him  
4 straight from now on you people will be well  
5 looked after. You will get free hospital and he said  
6 that the Government will look after you good and  
7 you people will never get stuck.

8 And now us older  
9 people we're all pensioner now. We are all very  
10 thankful for that, and this land here, we understood  
11 it was our land, but still most of us, we didn't  
12 understand. We were never told that it was our  
13 land. Now, with schooling and our younger children  
14 are getting a little education, they beginning to  
15 understand that this is their land. And it is  
16 only now that we are clearly understanding that  
17 it is our land.

18 And he said, before I  
19 was going to make a speech, I was sworn in and I  
20 can't tell a lie. And after, when it is finished,  
21 he says, we will have to swear you in too so you  
22 don't tell lies to us.

23 Since 1921 he says  
24 we were looked after a little bit and more he says,  
25 when he got pension he says, he is getting a lot  
26 of help that way and he says I am very thankful for  
27 that.

28 And we hear about this  
29 pipeline and he says the way we have been carrying on  
30 is the way that we want to see our younger children make



1 a living on it, and we don't want to see it destroyed.

2 One time long ago, he  
3 said, from mouth of Peel up as far south as Snake  
4 River, he said this was named preserve and he said  
5 that was the land that they understood was given to  
6 them. And he said that somehow somebody supposed  
7 to seen oil or gas -- it must be oil or something  
8 like that on surface and they kind of have the  
9 understanding that there is oil around there, with  
10 all exploration and drilling and everything, they  
11 figure somewhere they must have found gas or oil  
12 but nobody told them anything about it.

13 After treaty was signed  
14 and with all the rules laid down by signing treaty,  
15 he said that one Indian agent came and told him  
16 that all those original papers that were signed were  
17 lost.

18 At that time what CONRAD  
19 told them, that this land is yours, and with that  
20 afterwards they were told that those papers were  
21 lost and he said he still thinks that this land is  
22 their land.

23 Another thing I hear  
24 about the pipeline is the crossing will be about  
25 four or five miles down the river, and that pipeline  
26 is going to come over and cross our land.  
27 The thing that I think about the pipeline even  
28 if we don't want it and if it still comes across,  
29 what I want from it is that we get compensation and  
30 if we don't get that, they should give us oil from





1 that pipeline, gas in other words.

2 Another Indian agent came  
3 here and told me that if there is any gas discovered  
4 on this, your land, your people will get free gas,  
5 free oil.

6 One other thing is  
7 how it's been carried on. He says I'd like to  
8 see everything carried on this way and this is  
9 what I am looking forward for the younger generation.

10 Thank you very much and  
11 that is all I have to say.

12 THE COMMISSIONER: Thank  
13 you, Mr. Thompson.

14 (WITNESS ASIDE)

15 THE COMMISSIONER: I  
16 think that we will just take a five minute break  
17 now and stretch our legs for a few minutes and then  
18 we will start again.

19 (PROCEEDINGS ADJOURNED)

20 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

21 THE COMMISSIONER: Ladies  
22 and gentlemen, we will come to order again and carry  
23 on with the people who want to make statements this  
24 afternoon.

25 There is a witness here  
26 to be sworn, Miss Hutchinson.

27 NELLIE MITCHELL, sworn.

28 THE INTERPRETER: Judge  
29 Berger, we have one letter here that has come before  
30 us and it is dated Fort McPherson, N.W.T., July 10, 1975.



1 "My name is Mrs. Nellie Mitchell. Before I  
2 talk I would like to say I am very happy  
3 to see you and all the people that came with  
4 you.

5 First of all I want to say when my  
6 Great-Grandfather was living, them days  
7 we never did seen anything like now days.  
8 What we see in the store we never had,  
9 axe or knife or matches or guns. Lots of  
10 time in cold weather wherever people move  
11 so hard to make fire, we use something  
12 that could strike to make fire with.  
13 Them day we never seen no white peoples.

14 After that about four white mens came  
15 because they seen fire one place so they  
16 stopped. Where he stay them days nobody  
17 understand English, just by sign they  
18 understand one another. When they stop  
19 they seen this man had a duck, and bow and  
20 arrow and his hair was long so they cut  
21 his hair. So these white mens threw his  
22 bow and arrow into the river and they cut  
23 his hair and they threw that in the river  
24 too and this man said he just about cried.

25 After that they gave him a gun and they  
26 made sign to him and said they will -- some more  
27 white people will come in about two or three  
28 years time.

29 After two or three years time some white  
30 peoples came with canoe with those big



1 flat paddles. And that were the Hudson Bay  
2 Company that was the first H.B.C. built up  
3 here. That time they brough axe, but it was  
4 not like the axe we got now. But his son  
5 carried on after he died. The man put  
6 Hudson Bay so the way people get little  
7 things that they could get and live  
8 out in the bush. Still today we make a living  
9 out of it. We don't want to give up  
10 our land the way peoples found it wouldn't  
11 affect anything on the land. We don't  
12 believe it, even that dynamite that they bust it will  
13 sure spoil a big place, never see any  
14 rabbits or any kind of animals so in that  
15 case we don't want the pipeline come  
16 through. That is all I could say, what-  
17 ever I got on my mind.

18 Goodbye, good luck on your trip,  
19 you and your party."

20 This is Nellie Mitchell.

21 THE COMMISSIONER: Thank  
22 you very much, Mrs. Mitchell. That statement will  
23 be marked as an exhibit and constitute a part of  
24 the permanent record of the Inquiry.

25 (STATEMENT OF NELLIE MITCHELL MARKED EXHIBIT C-49)

26 (WITNESS ASIDE)

27 NEIL COLIN, resumed

28 A Judge Berger,  
29 Chief, Band Council, and ladies and gentlemen, thank  
30



1 you again for me to talk. I would like to talk  
2 about the north and south. I have been through a  
3 good many small communities in the Northwest  
4 Territories and big cities like Edmonton, Alberta;  
5 Regina, Saskatchewan; Winnipeg, Manitoba. In  
6 the Yukon, I've been to Dawson, also a small  
7 community in Old Crow. I also been to Anchorage,  
8 Alaska, by travelling down south to Edmonton to  
9 Winnipeg, it is like the shape of checkerboard  
10 by looking from airplane when you look down.

11 It is not like that  
12 in the Northwest Territories. People down south  
13 especially government officials in Ottawa don't  
14 understand when we Native people in N.W.T. says  
15 we own this land in N.W.T.

16 They did come down  
17 to each small community down the Mackenzie River  
18 in 1921 to force, to sign treaty with the  
19 Native people. Some of those chiefs don't even  
20 know how to write their name, so they put down  
21 their shaky hands to put "X" in 1921, "X" is the  
22 letter "X", not name. Even today Government don't  
23 know what is treaty. Our country is not like  
24 checkers like down south. It is quiet, it is  
25 bush, the country we love, that is our land in  
26 the Northwest Territories.

27 The pipeline is like  
28 a monster coming into N.W.T., that is why, Mr.  
29 Berger, when you finish the pipeline tour in N.W.T.  
30 our hope will be with you.





1 We're not against our  
2 big brother, U.S.A., but we don't want to spoil  
3 our beautiful country that we love.

4 Now, Native people in  
5 N.W.T. are claiming for 450,000 square miles of  
6 land, this land we are going to get it first  
7 before anything else happens from Government.  
8 Government did what he likes to us in 1921.  
9 He did what he liked to Indians across Canada  
10 and every province, in James Bay, Alaska, and  
11 Yukon, but not us here in N.W.T.

12 The pipeline will  
13 affect the land, animals of all sorts, fish, water  
14 and the people. Indians know how to set trap,  
15 fish and hunt. When Indians set up trap for animal  
16 he has to figure it out how to catch it. When  
17 he catch animal he know what to do with it. We did  
18 set a trap for Government long ago and we caught  
19 them. But still today they won't listen to  
20 us. Pipeline will bring money, damage and headache  
21 for Native people. Also the pipeline is only  
22 America's energy.

23 Mr. Berger, thank you  
24 for listening to me, and God bless you. Thank  
25 you.

26 THE COMMISSIONER: Thank  
27 you very much, Mr. Colin.

28 Mr. Colin's statement  
29 will be marked as an exhibit to form a part of the  
30 permanent record of the Inquiry.



1 (STATEMENT OF NEIL COLIN MARKED EXHIBIT C-50)

2 (WITNESS ASIDE)

3 PIET VAN LOON, sworn.

4 A Mr. Berger, I  
5 have a short write-up of what I am going to speak  
6 of, and which I have given to the interpreter and  
7 I'll try and expound on it.

8 My name is Piet Van  
9 Loon. I have been a resident of McPherson for  
10 a little over six years and I have had with me  
11 for many years the writings of a man called  
12 Henry David Thoreau, which you are probably familiar  
13 with. And I find in his writings many things that  
14 were written a hundred years ago that seem to be  
15 pertinent to things today and a few weeks ago I  
16 read one sentence which kind of struck me and I'd  
17 like to sort of expound on that theme tonight --  
18 or this afternoon.

19 He said, "the world is  
20 out of doors and we duck but behind a panel," and  
21 it kind of got me thinking because how true that  
22 is, the whole world is outdoors. I thought that  
23 we could probably divide the people of the world  
24 into two broad categories: those who make their  
25 living behind doors and those who make their living  
26 out of doors. It so happens that I was  
27 raised as a member of the indoor culture, which  
28 I'll call it, which seems to be predominantly white,  
29 and in Canada as in many other countries, the out-  
30 door culture seems to be predominantly Native.



1 Now, we, the indoor  
2 culture have a disastrous record with regard to the  
3 outdoors, a record of ruin, spoilage, waste and  
4 pollution and I think the world is just becoming  
5 aware of that recently, and we have left in our  
6 wake over 3,000 years of rubble. It seems it is  
7 our weakness, it is our vice.

8 However, our scientists  
9 have difficulty finding a few traces of the Indians'  
10 past, and I hear awhile back that they dug up  
11 some bones and arrowheads north of Old Crow and  
12 that they have determined these to be 30,000 years  
13 old. Those relics that they found there could  
14 probably be used today just as well as they  
15 were 30,000 years ago by the Indians today. But  
16 the indoor culture will choose to put them on a  
17 shelf behind doors.

18 The indoor culture on  
19 the other hand has made many notable advances in  
20 technology through its complex system of sciences.  
21 Many of the products of this technology are  
22 appreciated by the outdoor culture, as you can see  
23 for yourself here in the north.

24 I hear people talk about  
25 one -third of this country being wilderness, but  
26 I would like to emphasize that three-thirds of our  
27 country is outdoors, and I guess that maybe only  
28 one-third could be said to be unspoiled.

29 Therefore, I propose,  
30 Mr. Berger, through you, to the indoor society, that we





1 cannot afford anymore to leave the world of the  
2 great outdoors to the whim, speculation and greed  
3 of the indoor society. The ruin has to stop.  
4 And I just think of something else. I was  
5 in the U.S. earlier on in the year and some people  
6 were telling me that they have groups who are  
7 trying to set up wilderness areas, completely  
8 untouched areas, and with no concessions at all  
9 to anybody. Because they found out they first  
10 let backpackers in to wilderness areas, and they  
11 found out that backpackers would spoil it but  
12 their problem was that they couldn't find anybody  
13 to volunteer to make sure that nobody got concessions  
14 to it. They couldn't find anybody to look after  
15 the wilderness and there is societies and groups  
16 who have an affinity or a love for the outdoors  
17 who have volunteered their services for these things.

18 And in my proposition, I  
19 think I have a better solution. I think we should  
20 instead leave our outdoors in the complete custody  
21 of the people whose record reveals harmony with the  
22 world: the experts, the outdoorsmen, the Native  
23 people of our country. We owe this to ourselves and  
24 to our children.

25 The indoor society has  
26 decided that they want or need gas and therefore  
27 a pipeline, but they are not qualified to determine  
28 the cost to the outdoors, not with \$3 1/2 million,  
29 not with double that amount, not with any amount.  
30 Only the outdoor society can help us there, and we must



1 leave the decision with them and wait behind our  
2 panels for their advice and their guidance until  
3 we come to the realization that the whole world  
4 is outdoors.

5 Thank you very much.

6 THE COMMISSIONER: Thank  
7 you, Mr. Van Loon.

8 I wonder if you could,  
9 Mr. Van Loon, if we could have your statement.  
10 Mr. Van Loon's statement will be marked as an  
11 exhibit.

12 (STATEMENT OF PIET VAN LOON MARKED EXHIBIT C-51)

13 (WITNESS ASIDE)

14 RICHARD NERYSOO, sworn.

15 A Mr. Berger, my name  
16 is Richard Nerysoo and I am a member of Fort McPherson  
17 Indian Band and presently the vice-president of the  
18 Indian Brotherhood of the Northwest Territories. I  
19 am sure it is becoming clear to you, Mr. Berger as it  
20 is very clear to me that it is an important and  
21 special thing to be an Indian. Being an Indian  
22 means being able to understand and live with this  
23 world in a very special way. It means living with  
24 the land, with the animals, birds and fish as though  
25 they were your sisters and brothers. It means  
26 saying the land is an old friend and an old  
27 friend that your father knew, your grandfather knew,  
28 indeed your people have always known.

29 I am sure, Mr. Berger,  
30 that as you hear from the Indian people, from all along



1 the Mackenzie Valley talk to you about their land,  
2 you are beginning to understand that we see our  
3 land as much, much more than the white man sees  
4 it. To the Indian people our land really is our  
5 life. Without our land we cannot or we could  
6 no longer exist as people. If our land is  
7 destroyed, we too are destroyed. If your people  
8 ever take our land you will be taking our life.  
9 About the only way that I can explain to you how  
10 we people see ourselves is to say that we are  
11 a nation. We are the last free Indian nation of  
12 North America. We are a nation, we have a language,  
13 our own culture, our own economic system and  
14 political system and more important we  
15 have our own land.

16 Bit by bit the white  
17 man has tried to take these things away from us.  
18 Now the time is here that we must say "no more".  
19 At stake is the survival of our Indian nation.  
20 If we have to fight for our survival we will.  
21 That is exactly what my people are doing when they  
22 talk to you, Mr. Berger. They are fighting for  
23 their survival, their survival as a free people,  
24 as a nation.

25 When I went to school  
26 in Fort McPherson I can remember being taught  
27 that the Indians were savages. We were violent,  
28 cruel and uncivilized. I remember reading history  
29 books that glorified the white man who slaughtered  
30 whole nations of Indian people. No one called the





1 white man savages, they were heroes who explored  
2 new horizons or conquered new frontiers. Why wasn't  
3 it the white men who were called cruel savages? It  
4 wasn't the Indian people who invented the gun or the  
5 atomic bomb to kill millions of human beings, it  
6 isn't the Indian people who are destroying this land;  
7 yet we are called "savages" because we are willing  
8 to fight to defend our homeland and nation. That  
9 kind of thinking is still going on today, Mr.  
10 Berger. The Federal Government has told the McPherson  
11 people that they want to create a national historic  
12 site here. They propose to put up a plaque telling  
13 some of the important history of this area. As you  
14 know, my people have lived here in this area for  
15 thousands of years and there are many events that  
16 are worthy of recognition. There are many Indian  
17 heroes and many examples of courage and dedication  
18 to the people. We have a rich and proud history.

19 But what events does  
20 the Federal Government consider history? Let me  
21 read you the text that they propose for the plaque.  
22 It is in both English and French, but I will read  
23 the English. This is what the Federal Government  
24 sees as important about this area.

25 "In 1840 John Bell of the Hudson Bay  
26 Company built the first Fort McPherson  
27 four miles upriver from here. Moved  
28 to this site in 1848, it was for over fifty  
29 years the principal trading post in the  
30 Mackenzie Delta region and, after 1860, a





1           centre of missionary activity. In 1903  
2           Inspector Charles Constantine established  
3           the first R.N.W.M.P. post in the Western  
4           Arctic here. In the winter of 1898-99  
5           a number of overlanders tried to use  
6           Fort McPherson as a base to reach the  
7           Klondike."

8                                                       Where are we mentioned  
9           on this plaque, Mr. Berger? Where is there mention  
10          of any of our history? The history of the Peel  
11          River people did not begin in 1840. We have been  
12          here for a long, long time before that, yet we  
13          get no mention. Does the Federal Government not  
14          consider us to be human too? Do they think that  
15          we don't make history?

16                                                    This plaque follows  
17          from exactly the same thinking that called us  
18          "savages" and called the white man "heroes." The  
19          date on this proposed text, Mr. Berger, is July 3,  
20          1975.-- not 1875, but 1975, today. Our history and  
21          culture has been ignored and shoved aside.

22                                                   In the summer of 1970, Mr.  
23          Berger, I was lucky to work with a biologist who was  
24          studying the environment between here and  
25          Old Crow. During that summer, I saw many, many  
26          examples of damage being done to our land. I saw  
27          trailers, oil drums, and all kinds of waste scattered  
28          across our land. I saw seismic trails that had  
29          eroded into streams. This land is important to me too,  
30          Mr. Berger. Don't believe the pipeline companies, when



1 they say that the land is no longer valuable to the  
2 younger people. That is simply not true. This land  
3 has been given to me and my generation to care for and  
4 to pass on to my children and my grandchildren.  
5 And we will care for it and protect it, just as we  
6 want to care for and protect the ways of thinking,  
7 the language, the traditions that make us part of the  
8 Indian people. Our struggle may be a different way  
9 to protect and defend our land and our ways, but we  
10 will carry out that struggle in whatever way we  
11 have to. We will not allow our land to be  
12 destroyed and taken away, for it is our heritage, and we  
13 have a right to it.

14 The oil companies and the  
15 pipeline companies would like you to think and would  
16 like us to think that we have only one choice. If  
17 we do not live with the land the way our grandfathers  
18 did before the white man came, then, they say, our only  
19 choice is to get jobs and work on the pipeline  
20 and become essentially brown white-men.

21 Do not be fooled by this  
22 false choice, Mr. Berger. We are a nation, a  
23 special group of people with our own land. Our Indian  
24 nation will evolve and develop in its own way, in  
25 the way we Indian People choose. We do not have to become  
26 brown white-men to survive. We are Indians and we  
27 are proud to be Indians. All the education, all the  
28 schooling that you have given us cannot destroy that  
29 in us.

30 We are Indian People and we



1 will survive as Indian People and we will develop  
2 our own ways based on the strength and  
3 traditions of the old ways. We will always see ourselves  
4 as part of nature. Whether we use outboard motors or  
5 plywood for our cabins does not make us any less Indian,  
6 as the pipeline companies would like you to believe.  
7 The young people from Fort McPherson hunt and fish and  
8 get out to the bush whenever they can. We are Indians  
9 just like our fathers and grandfathers, and just like  
10 our children and grandchildren will be.

11 When you are making your  
12 recommendation to the Federal Government, please remember  
13 this, Mr. Berger, that we too want to survive in our  
14 own way, on our own land. That is why we are saying  
15 "no" to this pipeline because it does not fit into  
16 our own plans for our nation. In fact, it is  
17 exactly opposite to the kind of development we are  
18 choosing for our future. We do not want to develop  
19 as fastly and as quickly as the white people's society  
20 want to. Asking an Indian to work for the  
21 pipeline company is like asking your son to tear down  
22 your own house. I don't think you would like that,  
23 Mr. Berger, and neither would we.

24 We are often told that we  
25 have to accept the pipeline because that is "progress."  
26 I have heard people here say they feel that your  
27 "progress" cannot be stopped, no matter what we say.

28 Mr. Berger, what do you  
29 mean by "progress" anyway? What do you white people  
30 call progress? The pipeline companies admit that the





1 pipeline will cause social problems, alcoholism,  
 2 family breakdown, high prices -- just look at Alaska.  
 3 Do you really believe that is progress? Has your  
 4 civilization advanced so far that progress only  
 5 means destruction? I do not believe that you  
 6 or any other Southern Canadian can really believe that  
 7 it is progress to destroy my people and our land.  
 8 Progress to us means becoming a wiser person. It means  
 9 respecting and protecting the land and the people.  
 10 It means living with the land and nature as close as  
 11 possible. Can you really believe that the alternatives  
 12 Gas Arctic and Foothills offer is progress?

13 It is the Indian People,  
 14 Mr. Berger, that stand for true progress. I do not  
 15 hear the white people concerned about their children  
 16 or their grandchildren in the same way my people are  
 17 concerned. Yet white people say that Indians live only  
 18 for today, and that we cannot plan for the future.  
 19 What are you planning for the future, Mr. Berger?  
 20 What is Gas Arctic proposing for your children? Are you  
 21 making plans that you can pass on to your people with  
 22 pride 500 years from now? Before any decision is made  
 23 about the pipeline, Mr. Berger, find out what it would  
 24 mean for our land in a hundred years time.

25 We want a world pretty much like we  
 26 have right now. We want a world where our grandchildren  
 27 can like and value the same things we value. We don't  
 28 want big cities or paved parking lots or neon lights.  
 29 We want wide open spaces where we can live in freedom.  
 30 We want lonely rivers and lakes where we can go



1 and be alone and not see another person in any  
2 direction.

3 We want to be able to  
4 hunt caribou and fish and trap muskrats. That is  
5 what we want for our children. We do not want our  
6 grandchildren to say that we gave their birthright  
7 away.

8 The pipeline means more  
9 to white men who will be followed by even more  
10 white people. White people bring their language,  
11 their political system, their economy, their schools,  
12 their culture. They push the Indian aside and take  
13 over everything. Their "progress" means the end of  
14 Indian freedom, the end of the Indian nation.

15 Unless we get a land  
16 settlement which protects our nation, this pipeline  
17 will surely destroy us. But we will not let this  
18 happen. Not without a fight.

19 Thank you, Mr. Berger.

20 THE COMMISSIONER: Thank  
21 you very much, Mr. Nerysoo.

22 That statement, I'd like  
23 that marked as an exhibit.

24 (STATEMENT OF RICHARD NERYSOO MARKED EXHIBIT C-52)

25 (WITNESS ASIDE)

26 ANNIE ROBERTS, Sworn.

27 THE INTERPRETER: Mr.

28 Berger, it is dated July 10, 1975.

29 "I was glad to see you here with us and by God's  
30 help you come to us and that makes you more



1 strong to help us. I hear all what the  
2 people say, even that I am wishing that the  
3 way the people talk, that I could talk like  
4 that.

5 Even I am old I still like to go to the  
6 mountains to hunt. Even my girls tell me not  
7 to go, I go. As I like to get good food.

8 If they build the pipeline how will I be  
9 able to go over it? I think about it and I  
10 hope by God's help that they don't give us  
11 a hard time to make a living.

12 When I was in the Yukon I stayed alone  
13 2 1/2 months while my husband was out trapping.  
14 While that I had three children with me.  
15 That time I had a 22 rifle and I seen a big bunch  
16 of wolves come around me and I didn't even  
17 know how to use the gun and I think<sup>of</sup>/God and I  
18 wasn't scared after that. So I don't like  
19 pipeline myself.

20 Thank you.

21 Mrs. Annie B. Roberts."

22 THE COMMISSIONER: Thank  
23 you very much, ma'am.

24 I think that statement  
25 should be marked too.

26 (STATEMENT OF ANNIE B. ROBERTS MARKED EXHIBIT C-53)

27 (WITNESS ASIDE)

28 THE COMMISSIONER: I  
29 think we have another witness.

30 THE INTERPRETER: I think he



1 has been sworn in already.

2 THE COMMISSIONER: Oh,  
3 sorry.

4 JOHN KAY, resumed.

5 THE INTERPRETER: This  
6 is John Kay and he would like to say a few words,  
7 and he mentioned that with everybody talking, opposing  
8 the pipeline and he is the one who lives down there.  
9 Anybody who don't like that pipeline, he says that  
10 he is the one who is more against that pipeline.

11 THE COMMISSIONER: You  
12 live down by the crossing?

13 A Yes.

14 THE INTERPRETER: He  
15 heard that there was going to be a big camp set up  
16 down there and he said he don't know how many hundred  
17 people, but he say he don't like it because that much  
18 people put around there he said really is going to  
19 chase the caribou away.

20 He said, whenever there  
21 are a few people staying down the river, and he  
22 said when the caribou is up there, he says all who  
23 stay down that way, he says they go and they depend  
24 on that caribou.

25 He says he is not a  
26 very young man now and he say he's got grandchildren  
27 and this is one reason why he say he's looking to  
28 the future for his younger children.

29 He say that since  
30 the Inquiry started he says everybody is talking against





1 the pipeline and he says the map across there shows  
2 the drawing on it and he says its not explained to  
3 the people and he say it still -- I don't know why,  
4 he says, it's there.

5 One other thing about  
6 the pipeline is he says he doesn't want to see the  
7 pipeline if it is coming. He don't want to have  
8 it cross through the Mackenzie Delta.

9 This drawing, he says  
10 some of it, it's on the land and the one that is  
11 coming through here is right along the edge of  
12 delta and it is crossing below McPherson. I think  
13 if they change that plan and have it go along with  
14 the other pipeline which is crossing down around  
15 by Shallow Bay, I guess that would be much better.

16 Then he says everybody  
17 will be happy.

18 THE COMMISSIONER: Until  
19 we get to Tuktoyaktuk.

20 A That is all I have  
21 to say for the pipeline.

22 THE COMMISSIONER: Thank  
23 you, Mr. Kay.

24 (WITNESS ASIDE)

25 WILLIAM McDONALD, sworn.

26 A Mr. Berger, Ladies  
27 and Gentlemen, my name is William McDonald. I am  
28 a trapper. I have been a trapper all my life. I  
29 am glad to say that I have been living off the land.

30 Now I am going to switch



1 a little bit to something else. Judge Berger,  
2 you have been in Hay River Indian village. I  
3 never left this territory. I been in school there  
4 for four years --

5 THE COMMISSIONER: At  
6 Hay River --

7 A Yes, Indian village.  
8 And in 1921, I know it was 1921 because we seen the  
9 last part of the treaty party at Red River and we  
10 went to Aklavik. I didn't know that I was going  
11 to a hunter's paradise or a trapper's paradise that  
12 time. The people were plentiful in the delta and  
13 there was everything to live on. I stayed there  
14 a couple years and I came to McPherson and since  
15 then I made my life here. I am not leaving, I am  
16 going to live here, and I think to myself now,  
17 why are we facing the judge? Are we disturbed?  
18 We must be disturbed. Disturbed for our land.  
19 I have lots to talk about but I am going to cut it as  
20 short as I could. I hear people talking about the  
21 land being destroyed. I agree with all that. I  
22 see it. I am very much concerned about it and  
23 they talk about the pipeline coming through. I  
24 don't want the pipeline and I agree with everybody  
25 else that don't want it, but that part, it's been  
26 quite well explained by the people. But I am  
27 not going back too many years, but I'm going to  
28 go back to about 1945 when the Alaska Highway was  
29 built. Our country was in the war. So it was  
30 wartime measure to put that highway through, so it was



1 put through, and in a few years they put the Canol  
2 project, which was in the national interest of all  
3 Canada to put it through, and when they put the DEW  
4 line, it was in the national interest of all Canada  
5 and the United States that it was done.

6 But today we are supposed  
7 to be living in a peaceful country and we're supposed  
8 to be living peacefully, but when the people say  
9 their land has been torn up and destroyed, all  
10 you have to do is take a plane and look around. It  
11 shows, it speaks for itself, so I don't see why in  
12 the last fifteen years our land has been invaded, for  
13 the interest of who? Judge Berger, I can't see why  
14 the peaceful people that live and making their living  
15 off this land should be disturbed, and as I said  
16 before, to look from an airplane it explains itself.  
17 All over the land has been cut and torn.

18 Now, we talk -- I look  
19 at it as another bigger invasion than that is going  
20 to come to our land. We follow the radio and we  
21 hear about hundreds -- I don't know, I don't keep  
22 track of it -- of different kinds of material that  
23 is going to be used to cut up that ground for the  
24 pipeline and we hear about the big N.T. which is  
25 Government barges, tugs, gearing up for to come and  
26 invade our land. I don't think the people are prepared  
27 for that kind of big invasion. And another thing I  
28 would like to say is that from the beginning when  
29 the pipeline people were starting to plan their  
30 routes, why didn't they come to the grass roots people





1 and say we want to do this and this is where we  
2 want to put the pipeline, after they made all their  
3 big proposals and they're real big, all at once  
4 they're here. "We're going to do this."

5 So I don't think we could  
6 accept that just by lying down and taking it while  
7 we have a chance to stand on our feet I think we should  
8 say what we don't like. I don't see or hear any place  
9 they are going to leave something good with the  
10 pipeline. I know they talk about Native people are  
11 going to get employment. Native people employ them-  
12 selves a lot because they have the land, and we have  
13 not the system of being brought up that we have  
14 to work twelve hours a day, seven days of the week.  
15 If we don't like it, we have a choice. We have a  
16 choice because we have the land. So we feel in-  
17 dependent. Without the land to live on, would  
18 we be independent? We lose all our independence.

19 And then I call it an  
20 "invasion," yes, I believe it is an invasion which  
21 the north is going to see that we've never seen  
22 before, and then they are going to destroy the land.  
23 We hear feedback from pipeline in Alaska. We don't  
24 hear too good news about what effects it has on the  
25 people and we believe that the Mackenzie Pipeline  
26 is going to be way bigger than the Alaska project.

27 So, I have some figures  
28 that -- I don't know if I could quote out of a maga-  
29 zine --

30 THE COMMISSIONER: Sure,



1 go ahead.

2 A I will bring that  
3 up after, but --

4 THE COMMISSIONER: All  
5 right.

6 A Another thing too,  
7 I got something that's been puzzling me since the  
8 other day and I like somebody to explain it. It's  
9 a -- from this magazine.

10 THE COMMISSIONER: Oh,  
11 yes.

12 A And I see  
13 your picture on there and this little part, I mean,  
14 I got marked out about the pipeline, maybe they'll  
15 be looping it with an oil pipeline?

16 THE COMMISSIONER: Could  
17 I see the -- Miss Hutchinson, would you pass that  
18 over to me and I'll just take a look at what --

19 A This is the part --

20 THE COMMISSIONER: Well,  
21 I'll just tell you what has been said to me at the  
22 hearings in Yellowknife.

23 Mr. Horte, who is the  
24 President of Arctic Gas has told me at the hearings  
25 that after the pipeline is built they expect that  
26 they will then build a second pipeline and the second  
27 pipeline would be built when the first pipeline is  
28 completed.

29 Now, Mr. Horte made it  
30 clear that the second pipeline would be from Travaillant



1 Lake south to the Alberta border. He didn't say that  
2 they would be building a second pipeline from Prudhoe  
3 Bay, along the coast, around the delta, across the  
4 Peel and to Travaillant Lake. I should say though, that  
5 the Federal Government in giving me my mandate has  
6 said that the pipeline, the gas pipeline if it is  
7 built will have an influence on development in the  
8 future, and they have asked me to consider the impact  
9 not only of an gas pipeline, but of an oil pipeline  
10 as well, along the same route as the gas pipeline.  
11 Now, what they -- what it comes down to is that  
12 I have been asked by the Federal Government not simply  
13 to look at the gas pipeline, but to consider what other  
14 developments, in particular an oil pipeline, may come  
15 afterward.

16 That's, I'm afraid,  
17 not a very complete answer, but those are the things  
18 that the Federal Government in sending me here has  
19 asked me to consider. At any rate, I hope that --  
20 I don't say it helps, but I hope you understand --

21 A But it's not for  
22 the west side there, though.

23 THE COMMISSIONER: Well,  
24 Mr. Horte, the president of Arctic Gas says that  
25 the second pipeline that they expect they will  
26 want to build will be from Travaillant Lake south.  
27 Not on the west side of the delta, but the Federal  
28 Government has said that I should consider not only  
29 the impact of a gas pipeline along the same route  
30 as the oil pipeline, along the route that we are



1 considering now, but that I should examine the impact  
2 of an oil pipeline along that same route and we  
3 intend to do that in the fall and we will be holding  
4 hearings for that purpose.

5 The question of the  
6 route an oil pipeline would follow is one that I  
7 look at in this way: we will have to consider the  
8 impact of an oil pipeline following the same route  
9 as the proposed gas pipeline is to follow. That  
10 of course would include a route along the west side  
11 of the delta and across the Peel.

12 Now, I don't think that  
13 I can say any more than that, Mr. McDonald, to you.

14 A Well, then I would  
15 like to ask the -- somebody from Canadian Arctic  
16 Gas is here?

17 THE COMMISSIONER: Yes,  
18 Mr. Carter is here from Arctic Gas and Mr. Ellwood  
19 is here from Foothills, so fire away.

20 You gentlemen might move  
21 over to that microphone. -- And Mr. Carter, if I  
22 have not fairly reproduced what Mr. Horte told us  
23 in Yellowknife, you feel free to add to it.

24 Yes, they're right behind  
25 you, so you can --

26 A I don't have to  
27 repeat it again, you know how much everybody is con-  
28 cerned about the caribou and fish and I see by that  
29 map there that the pipeline route right where the  
30 caribou breeding ground is. I wonder if they took





1 much consideration what harm it would cause the  
2 people if that changed the route of the caribou  
3 some way, or damaged the caribou some way to all the  
4 people that depend on it.

5 THE COMMISSIONER: Mr.  
6 Carter, Mr. Ellwood?

7 MR. CARTER: The first  
8 part of your question I believe refers to the area  
9 where the caribou are breeding. Now, you'll note  
10 that the route from Prudhoe Bay comes along the  
11 coast and that is along an area where the caribou  
12 calve, however the time set for construction of that  
13 part of the pipeline is to be in the winter when  
14 the caribou are not there.

15 So far as the rest  
16 of the route is concerned, the timing for construction  
17 as well, is planned and they made these plans following  
18 a number of years of study of the caribou migration,  
19 so that the construction men will not be in the  
20 area when the caribou are there. There are also  
21 plans, however, for the situation that might arise  
22 that the caribou or some part of the caribou herd  
23 could be in the area at the time, and in that case  
24 they have contingency plans to move the pipe if  
25 the pipe is laid out alongside of the ditch and  
26 to permit the caribou to cross if the ditch is open  
27 or if the pipeline, as I say, is laid out interfering  
28 with the migration so that there have been extensive  
29 studies made by the pipeline company of the caribou  
30 and their migration routes and there are plans of



1 taking it into account.

2 A Well, I don't understand  
3 what you mean when you say the caribou is not there in  
4 the winter because people live around Firth River,  
5 get caribou in the winter, people that live around  
6 Point Barrow, not far from there, they live on caribou  
7 in the winter.

8 THE COMMISSIONER: If you  
9 wish to add anything, you may, Mr. Carter.

10 MR. CARTER: I don't know  
11 if I can add anything to that. The studies showed that  
12 there were few if any caribou, I suppose and we'll  
13 take into consideration what you tell us, that there  
14 are caribou there and if that is the case we'll  
15 have to certainly take that into account. I am  
16 talking about the route right along the coast.

17 A Well, did you know  
18 that caribou existed there in the winter?

19 MR. CARTER: Not personally  
20 I am just relying on what the people who have studied  
21 these have told us.

22 A Did you ever see  
23 a caribou?

24 MR. CARTER: Yes, I have  
25 seen caribou, sir.

26 A Do you know how  
27 much value it is for the people?

28 MR. CARTER: Yes, sir.

29 A I don't know if you  
30 know it, but there is a walk-in refer here in McPherson,



1 there's tons of meat in it and there's other deep  
2 freezes with meat in it which the people work for  
3 and they use it all summer because the price of  
4 meat is so high in the winter. If you look at that,  
5 I don't know if the Town Council or anyone of them  
6 would be willing to let you see what the meat means  
7 to the people. After seeing the people, the way  
8 they live, and how much they depend on it, maybe  
9 you people might think more of the humans than  
10 of the pipeline.

11 THE COMMISSIONER: Do  
12 you wish to add anything, Mr. Ellwood, to what Mr.  
13 Carter has said?

14 MR. ELLWOOD: If I may,  
15 Mr. Commissioner, I would like to add for Mr. Mc-  
16 Donald that the route which Foothills pipeline is  
17 proposing to bring gas from the delta to southern  
18 Canada is on the east side of the delta, to the east  
19 of Inuvik, east of Travaillant Lake and does not  
20 cross the area used by the porcupine caribou herd.

21 A Well, maybe I am  
22 talking to the wrong man. I want to talk to the  
23 man that put this pipeline on the west side there.

24 MR. ELLWOOD: That was  
25 the gentleman who was speaking just before me.  
26 We represent different companies here.

27 THE COMMISSIONER: Mr.  
28 McDonald, this isn't entirely fair to you because  
29 these gentlemen are sitting behind you and they  
30 really shouldn't be. Maybe you'd come over here?





1 There are two pipeline companies, Arctic Gas wants  
2 to build the line that you see on that map up there.  
3 Foothills wants to bring gas from the Mackenzie Delta  
4 along the east side of the delta, the east side of  
5 Travaillant Lake, and then south along the valley,  
6 and Mr. Ellwood said yesterday that the Foothills  
7 proposal would not come within 100 miles of Fort  
8 McPherson and I think he is right in saying that the  
9 Foothills proposal would not cross the breeding  
10 grounds nor the migratory routes of the Porcupine  
11 River caribou herd.

12 A Judge Berger, could  
13 I go to that map and maybe I could explain it better.

14 THE COMMISSIONER: Go  
15 ahead.

16 A This is the part I  
17 mean, this pipeline going down here. I am not talking  
18 about this so much, but this one here.

19 THE COMMISSIONER: Well,  
20 that is the Arctic Gas proposal.

21 A Arctic Gas. Well,  
22 then another thing while I am at it, I might as well  
23 bring up is, I understand these to be compressor  
24 stations, these marks here.

25 THE COMMISSIONER:  
That's right.

26 A And then there is  
27 one here.

28 THE COMMISSIONER: That  
29 is CA-09 on this one. I am just describing it for the  
30 record, go ahead.



1                                   A     The people here  
2     say this is a vital place. There is already a cabin  
3     there, built there to be made use by trappers and  
4     hunters, so it must be vital. It's been there --  
5     a compressor station right there doesn't look too  
6     good. Could any changes be made there?

7                                   MR. CARTER: We were  
8     in Fort McPherson a couple of months ago and we were  
9     advised that the people were using that area, near  
10    the mouth of the Rat River, is that the area you  
11    are talking about?

12                                  A     Yes.

13                                  MR. CARTER: And we  
14    took that back to the engineers in Calgary who are  
15    designing this pipeline and the various sites for  
16    compressor stations and they said that it was  
17    possible to move it a limited length either way up  
18    or down the pipeline from that site. It depends upon  
19    whether <sup>or not</sup> any of the other compressor stations,  
20    for example the one lower down, CA-09 or CA-010  
21    should be moved as well and whether any of the  
22    people here feel that those should be moved. But  
23    it is possible for CA-09 to be moved either way,  
24    although it is limited. It would be about a mile,  
25    or a mile and a half <sup>either</sup> / way, I believe, and it would  
26    be helpful if the people here said which direction  
27    they would prefer it to be moved from the present  
28    location of CA-09.

29                                  A     Another place here,  
30    I don't think it needs any explanation, that is too



1 close to our settlement. Do you agree with that?

2 MR. CARTER: I appreciate  
3 the point you're making, that the river crossing is  
4 too close from your point of view to Fort McPherson.  
5 I don't know whether I can say I agree with you  
6 or not. I agree with you that from your point of  
7 view the further away from Fort McPherson, the better  
8 you'd like to see it. Some of the evidence that  
9 our engineers have given is that the river crossing  
10 is such that it doesn't have an effect because it  
11 goes underneath the banks on either side of the  
12 river bed and underneath the bank on the other side  
13 again, but I appreciate that what you are telling  
14 me is that you would like to see the river crossing  
15 as far away from Fort McPherson as possible.

16 A Well, I hope you  
17 don't take it as -- I am talking as an individual,  
18 for myself. It's not only the river crossing --  
19 how close to town, four miles? What's going to be  
20 there? Storages of high explosives and everything?

21 MR. CARTER: Not at  
22 the river crossing.

23 A I mean at the  
24 bank -- I know it cannot be at the river, sir. It's  
25 got to be on the bank. You'll have no explosives  
26 stored there?

27 MR. CARTER: No.

28 A But anyway I know  
29 -- I know the people are concerned about the pipeline.  
30 You heard, but that is too close to town. The impact



1 On the social -- the impact it is going to have on  
2 the people.

3 THE COMMISSIONER: Is  
4 there anything else you want to point out? I think  
5 that you have backed Mr. Carter into a corner.

6 A One thing that I  
7 would like to point out quite clearly, the people  
8 don't want the pipeline, as much as I said I don't  
9 want it and the further it is away from our settlement  
10 the better.

11 THE COMMISSIONER: Carry  
12 on, Mr. McDonald.

13 A One thing more I  
14 might as well -- while I am here. "Social Earth-  
15 quake"it calls it in this --

16 THE COMMISSIONER: That  
17 is Alaska, is it?

18 A Well, could I use  
19 it?

20 THE COMMISSIONER: Yes,  
21 go ahead, yes, yes.

22 A -- Joe  
23 E. Roho who is in a position to know says that  
24 "prostitution has risen by 700%"-- I repeat, 700% between  
25 1973 and 1974. That greatly alarms us, Judge Berger.  
26 And then juvenile crime increased in Fairbanks by  
27 114% by 360%, in the 11-12 age group. I guess by  
28 looking around you can see the majority of our  
29 people in McPherson are young people. We already  
30 have problems. What's this going to mean to Fort





1 McPherson? It's not hard to predict. Some of it  
2 will be bigger institutions, sent away from their  
3 homes, and what do they learn there? They learn more  
4 of it.

5 THE COMMISSIONER: Excuse  
6 me, they learn more what?

7 A They learn more of  
8 what they are put there for, I mean.

9 THE COMMISSIONER: Oh, in  
10 institutions when you commit some offense, some crime,  
11 yes, --

12 A Yes --

13 THE COMMISSIONER: I  
14 follow you.

15 A And then by that  
16 time, them young people are going to be older, and  
17 there's going to be a pipeline. Offenses caused by  
18 our young people, will they be blamed? It is forced  
19 on them, it will be forced on them. Who is going  
20 to feel it? It's us people, the parents. Everything  
21 looks good by drawing it here over the land for a  
22 pipeline. We have seen some pictures of it in  
23 the magazines, always : we see pipeline laid on smooth  
24 ground. They don't show us pictures of pipeline  
25 going up the side of a hill or -- we know the country,  
26 we know it's rough, so it's pretty hard for us to  
27 swallow all that pleasant talk about pipeline not  
28 harming our land.

29 Judge Berger, if I  
30 kept on, you'd be tired of listening, so thanks for



1 listening.

2 THE COMMISSIONER: Well,  
3 I am not tired of listening and I thank you for  
4 your statement, Mr. McDonald.

5 Mr. McDonald mentioned  
6 the meat and the fish in the community reefer and  
7 the hostel reefer, and I should say for the record that  
8 yesterday morning the Chief took me down to the  
9 hostel reefer and the community reefer and I saw  
10 the people's lockers overflowing with caribou meat,  
11 so I did see that evidence of the extent to which  
12 the people rely upon the caribou and the fish,  
13 Mr. McDonald.

14 (WITNESS ASIDE)

15 THE COMMISSIONER: Well,  
16 I think it is 5 o'clock. Maybe we should adjourn  
17 until 8 o'clock. We will adjourn now then until  
18 8 o'clock tonight, so we'll all come back at  
19 8 o'clock tonight and bear in mind that I really have  
20 to go to Old Crow tomorrow morning, so tonight those  
21 people who want to speak should come down and be  
22 here and we'll start off at 8 o'clock tonight, so  
23 thank you.

24  
25 (PROCEEDINGS ADJOURNED)

26 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

27  
28 THE COMMISSIONER: Well,  
29 ladies and gentlemen, we'll call our meeting to order  
30 this evening and those of you who still have not been



1 heard from will have an opportunity to speak this  
2 evening. Professor Ritter?

3 JOHN RITTER, sworn.

4 A Thank you. Mr.  
5 Justice Berger, in the last three days here you  
6 have heard from many people. Old and young alike,  
7 speak about what their land means to them. This  
8 evening my friends want to speak some more on the  
9 subject and bring in some new evidence to support  
10 the kinds of things that Neil Colin talked about in  
11 his presentation yesterday.

12 The focus, the main idea  
13 that they will be talking about concerns place names,  
14 Loucheux names for the lakes, mountains, creeks, and  
15 other features of Peel River country.

16 I will start off by  
17 talking just a little bit about how we have collected  
18 and written down these names and also a little about  
19 what we hope to do with the material we have collected.  
20 I will then turn the discussion over to Ruth  
21 Carroll and Andrew Kunnizzi and William Nerysoo, and  
22 they will tell you something about the names of  
23 certain places, what they mean in English, what they  
24 mean in Loucheux and how the people have used the  
25 land.

26 I began my language work  
27 here in Fort McPherson just about three years ago.  
28 Part of my job was to devise a new alphabet for the  
29 Loucheux language and we are now ready to print up  
30 two new Loucheux dictionaries: an illustrated dictionary





1 for the children and a general reference dictionary  
2 for the adults. In the course of learning about the  
3 language and the history of Peel River, I found that  
4 the people have a fantastic number of names for places  
5 in their country, and just about every name has a  
6 story or a set of stories behind it.

7 After talking with the  
8 people here we decided to try and write down each and  
9 every one of the names. This work has been going on  
10 now for just about two years and as of now we have  
11 approximately 350 Loucheux names written down.

12 Most of the information  
13 we have comes from William Nerysoo and Andrew Kun-  
14 nizzi, but we have also been helped by Charles Koe  
15 Chief Johnny Kay, and a number of other people as  
16 well, and we'd like to thank them here for all their  
17 help.

18 Now, the maps have been  
19 checked and re-checked and re-checked again, and I  
20 think that they are about as accurate as they can  
21 be. The first results of our work you can see on  
22 the maps hanging on the wall here to the left and  
23 also up in front. The art work on the maps was done  
24 by Piet Van Loon and we'd like to thank him for his  
25 assistance. Each Loucheux name has been given a number  
26 on the map. In most cases the names are too long  
27 to write directly on the map and of course the maps  
28 are fairly small anyway.

29 Along with the maps is  
30 a master list of the names with English translations just



1 like the preliminary draft I showed you yesterday and  
2 we'll soon be submitting a full write-up to the  
3 Inquiry, along of course with a copy of the  
4 maps.

5 Let me note right now that  
6 very, very few names of Native origin appear on  
7 official maps, the maps that are produced by the  
8 Department of Energy, Mines and Resources. Now,  
9 some people outside when they look at those maps  
10 might well get the idea that most of Peel River  
11 country hasn't been used or has been uninhabited.  
12 That's true not just of Peel River, but of the North  
13 in general.

14 Of course, the Native  
15 place names, however, prove just the opposite. We  
16 hope to change the situation and we'll be sending  
17 our maps and the names to Ottawa to a group of  
18 people there called the Canadian Permanent Committee  
19 on Geographical Names. These are the people respon-  
20 sible for approving or allowing new names to be put  
21 on official maps.

22 Eventually we also  
23 hope to produce a set of maps with the names written  
24 in Loucheux, rather than in English and that will  
25 have to come later once we find the funds to do  
26 it with.

27 We think that the  
28 young people of Fort McPherson can learn a great  
29 deal about the history of their people from the  
30 place names and the stories that go with them, and so



1 we will also be making this work available to the  
2 school so that hopefully it might be used in teaching  
3 Social Studies.

4 I think that I have  
5 said enough now just to give you a little bit of  
6 background on what we have done, and so I'll  
7 turn the discussion over to Ruth Carroll.

8 RUTH CARROLL, sworn.

9 A Mr. Berger, for  
10 centuries my people have lived on this land  
11 without much interference from anyone. Hunting, fishing  
12 and trapping was and still is our way of life.  
13 Before the coming of the whiteman, we lived off  
14 the resources of our land, which at that time were  
15 plentiful. Today although the number of game has  
16 decreased in great number, we are still continuing  
17 to use it at our pleasure and many of us still con-  
18 tinue to maintain hunting and fishing sites that  
19 are centuries old.

20 Virtually every lake,  
21 river, stream and mountain bears a name  
22 given by my people and our ancestors. All and all, it  
23 is a huge area of land extending from the headwaters  
24 of the Blackstone River, Hart River, Wind River  
25 and Bunklin(?) River south to Mackenzie Delta. The names  
26 tell where people have lived and how they have lived.  
27 They tell of game, fish, birds, burial grounds,  
28 legendary figures, encounters with the Eskimos, plus  
29 many, many more.

30 Here are some examples:



1 Game. We have  
2 Sheep Creek and Black Bear Creek or no, Bear Creek.  
3 Sheep Creek in Loucheux is Divii Daaghoo Njik.

4 Bear Creek in Loucheux is Shok Diidhal Khaii  
5 Chik.

6 Fish. We have Sucker  
7 Creek and Crooked Back Lakes. Sucker Cree~~k~~, Daat'sat  
8 Chiivaa. Crooked Back Lakes: Daalt'an Jithinuu.

9 Birds. Eagle River and  
10 Loon Lake. Eagle River: Izhin N'jik. Loon Lake:  
11 Daadzaii Van.

12 Burial grounds. We have  
13 only one. Shakey Heads Grave: Dittchi Daathuk Vitt-  
14 hunk'it.

15 Legendary figures. Shiltii.  
16 Shiltii means to sit in fear -- and I don't think  
17 I really should tell anything about this right now --  
18 maybe one of these guys here could say something  
19 about it later on.

20 Encounters with the  
21 Eskimos. Taa'aii Khanjilnail. Now, years ago  
22 when the Eskimo and the Indian used to fight, I  
23 guess there were some Eskimos on their way up river  
24 to fight with the Indians and their paddles broke  
25 at this -- I don't know how many miles up the  
26 river it is, but when their paddles broke they  
27 had to land there and make new ones and this is  
28 why the place is called Paddle Creek today.

29 Some names are very,  
30 very old, so old in fact that their original meaning





1 has become lost in the course of time. This is  
2 good proof that the people have known such places  
3 for generations and generations. One example we  
4 have is Edeh njik for which we don't have any good  
5 translation.

6 Now, we have William  
7 Nerysoo and Andrew Kunnizzi with more examples in  
8 Loucheux. The first one we have here is Hart  
9 River. Hart River up here and this is what he is  
10 going to tell you about.

11 THE COMMISSIONER: Where  
12 is McPherson, just for my --

13 A I think it is up  
14 here someplace. We are talking about Hart River  
15 right here.

16 Now we have William  
17 Nerysoo to talk about three other places.

18 ANDREW KUNNIZZI, resumed.

19 MR. RITTER: Maybe  
20 we could have Mr. Charlie summarize for us.

21 MR. CHARLIE (Interpreter):  
22 Mr. Berger, as Andrew Kunnizzi was speaking here  
23 referring to where people used to live and where they  
24 go and what they did and many years ago and I'd like to  
25 find where is Bonnet Plume River. Like Hart River, in that  
26 area here, all through in here is -- people used to  
27 travel all through here like in the summertime and  
28 then in the wintertime the same, so after they're through  
29 there around in the winter they come down to Bonnet Plume  
30 River and Peel River Junction and from there they make



1 a skin boat and then they come through the canyon,  
2 which we call Lower Canyon and this is a pretty  
3 rough water, so sometimes they make a skin boat,  
4 it takes about fourteen mooseskin as they hear about  
5 it. I've been around in this area myself and I  
6 know this area and they come into the canyon, they  
7 pass half of it and then they land and then the  
8 womans and the children, they have to walk across  
9 the portage and the mens come through with the  
10 boat and from there all the way right down to  
11 McPherson they travel with this skin boat.

12 So he is referring to  
13 around headwater of Ogilvie, that's part of the  
14 Peel River and all through Blackstone and Bonnet Plume  
15 River and up in the headwater of Bonnet Plume River and  
16 all through on the west side of Richardson is where  
17 they did most of their hunting and trapping and  
18 they lived up there for some time and this is  
19 where most of the time they have been living off  
20 the country.

21 So this is taking about  
22 all what he said and it gives you an idea about how  
23 far people used to go away from here and where they  
24 lived and they sometime leave here in the fall and  
25 they stay up there all winter, until next spring they  
26 come back.

27 So now I think I made it -  
28 you know, took up as much as I could on it and now  
29 we will let William Nerysoo take on and then we'll  
30 translate that again.



1 THE COMMISSIONER: Fine.

2  
3 MR. CHARLIE: So thank  
4 you.

5 MR. RITTER: We are going  
6 to ask William Nerysoo to talk about three places and  
7 I think we'll ask Ruth to point on the map where  
8 they are. These are for a different area of the  
9 Peel River, on the other side of the Richardson  
10 Mountains. The first of these is a place called Viak it  
11 gwin jhik(?) sometimes called Snare River. Another  
12 one there is a place called Kloft dithii(?) which  
13 has to do with the old caribou fences, it is the  
14 site of those. So I wonder if we could ask William  
15 to speak in Loucheux about those places.

16 WILLIAM NERYSOO, resumed.

17 A Mr. Berger, I  
18 would really like to make a brief presentation in  
19 the area of Road River. He would like to tell you  
20 a few things about Road River. It is approximately  
21 45 miles from McPherson up the Peel River. It has  
22 a Loucheux name and it has a history behind it.  
23 The reason it is called that, he says, that in a  
24 Loucheux name is Vheeklon jhik(?)

25 Long before the white man  
26 was here the Native people were very primitive. They  
27 got no matches, that's why we are just giving you a  
28 demonstration there of two stones and the little thing  
29 he had in the middle is birch bark, and the Native  
30 people found that they could do this, there is a certain





1 kind of stone at the head of this Road River and  
2 this is where they found it, and as a result the  
3 people lived there -- about fifty families, twenty  
4 families lived at the headwaters of this river for  
5 many years, for a long time during summer because  
6 of these stones, they make fire, they lived there,  
7 they made fire with this.

8 Then they would go  
9 over the mountains to the west side and there they  
10 hit another river that flows the other way and that  
11 they call Snare River. In Loucheux, that, he calls  
12 that Via~~k~~ it guyn jhik(?) in Loucheux. He says  
13 that the reason they call that, that time it was  
14 a very steep river and the caribou crossed this  
15 river, and the only means of killing the caribou,  
16 the easiest way they had of killing those caribou  
17 in those days is bow and arrow. These people  
18 would get these caribou in this river and it was an  
19 easy way of killing caribou. So that is the reason  
20 that they call that Snare River.

21 Now, up in this particular  
22 area, they have Kloft di thii(?) That means they  
23 used to make some sort of corral for the caribou and  
24 there was a mountain in front of it and there was  
25 no way these caribou would go past so they had them  
26 head on into this sort of corral that they built and  
27 this is another way of killing caribou.

28 Now, these are just  
29 three different illustrations I talked about to show  
30 you that these names are hundreds of years old and these



1 names will apply to these various places long  
2 before the white man ever came here, to show you  
3 that they lived there and they used that land.

4 So, Mr. Berger, I hope  
5 that you are happy to hear that story.

6 THE COMMISSIONER: Yes,  
7 I am. Could I just see those rocks, stones --

8 MR. RITTER: I was  
9 just going to say that the examples which Andrew and  
10 William have talked about have to do with the  
11 up-river country and there are many more names,  
12 especially --

13 THE COMMISSIONER: You  
14 mean the upper Peel?

15 MR. RITTER: The upper  
16 Peel and the upper Eagle River.

17 THE COMMISSIONER: The  
18 upper what river?

19 MR. RITTER: The Eagle --

20 THE COMMISSIONER: The  
21 Eagle, yes --

22 MR. RITTER: Across the  
23 mountains there. Of course there are a great many  
24 more names, and especially down around McPherson here  
25 and on into the Delta and I just wonder if we might  
26 ask CharlesKoe to take one of the -- which you might  
27 call the most famous names in the delta and tell just  
28 a little bit about how it came to be that and I have  
29 in mind Lucy Rat's place, Vhin dey gwah chik(?)

30 CHARLES KOE, resumed.



The next place they call it, Ehday koi chik oii(?) Well, I don't know what that means, I think that just only God could move one place to the other, but the Indian people they said, this place, it means that this place has moved to the other place, probably there was a little island one time there, maybe it just disappeared, this



1 is what is the name of that place, and this  
2 place they usually make a living there way before --  
3 the white people come there because I heard a story  
4 about these places, it was very, very old, some  
5 of these people in this community here, they made  
6 living from one place here which is good place to  
7 move and we all moved from different directions to  
8 a different place again and, this one I think it's --  
9 everybody made use out of this country. That doesn't  
10 mean people that stays one place. Believe me, you  
11 know they have moved from different place to the  
12 different direction and different way of moving and  
13 all these things is done for their living. You better  
14 remember my friend, them days there was no way to  
15 make living except for wild animal. Everywhere you  
16 looked for different direction, you are always  
17 looking for this wild animal too, to make a living  
18 out of.

19  
20 So these things people  
21 talk about not only one person done. They all made  
22 the same move and same living and you see the  
23 population of McPherson here, if you think just one  
24 person done that, they all done the same things. You  
25 see some people that talking about what they have  
26 done and where they have been, but remember, you might  
27 as well say we all done it. This is the way that  
28 I think about it and you see how old these two, three  
29 different places that people made living, but that  
30 is just a touch of it, you know, just a little piece  
that we are talking about. And you know a person





Charles Koe  
Ruth Carroll

-- a person asks one another, you know this fellow named old John Dry Meat, and he is a very old resident of the delta, and a person ask him, "Did you know that lake?" "Oh, yes," he says. "If God made one lake here, that is the only one I don't know." You say that is where the people is, and across these people look all over direction, they say delta. You know it is just like "A,B,C" to everybody, you know, this is how good. It looks kind of brushy, but, boy, I tell you, they can just go right out from country to any place in the delta, they can take you without losing themselves. Why? Because they made living out of it.

Thank you very much.

MR. RITTER: Thank you Charles. I think Ruth has a few general comments to make on this material and with that we will conclude.

RUTH CARROLL, resumed.

A You see from what we have shown you on the map, from what the two old timers here have told you -- three old timers here, that most of the real Peel River country lies within the Yukon Territory. Seen through the history of land use by the people, the border is fiction and was never recognized by the people as anything but an artificial line drawn by outsiders.

Many of the younger people have seen only parts of this up-river country, especially since they have been going to school and living in the hostel. Still they hear about that country



1 from their parents and they continue to consider all  
2 that land theirs.

3 Right now the Dempster  
4 Highway is cutting through, through the heart of the  
5 Peel River country without the people being asked  
6 whether it should be built or not.

7 Okay, this is bad enough  
8 so this is one of the reasons we don't want any other  
9 developments before our land claims are settled. I  
10 hope that what we have presented here will give  
11 you a better understanding of how my people feel  
12 about our country. Our people feel that you can't  
13 talk of development without talking about our land.

14 Thank you very much.

15 THE COMMISSIONER: Thank  
16 you. Thank you, Professor.

17 (WITNESS ASIDE)

18 THE INTERPRETER: Mr.  
19 Berger, we have one old man here who wanted to speak  
20 the very first day when you opened up and ever since.  
21 I think he never had the chance and he is still looking  
22 forward to giving his presentation. I now bring him  
23 beside me and I'll get him to speak.

24 JOHNNY SEMPLE, sworn.

25 THE COMMISSIONER: Go  
26 ahead, sir.

27 THE INTERPRETER: Mr. Berger,  
28 he says, I have lived quite a long time now and I am  
29 an old man now and he says I am about pretty near one  
30 of the few that are oldest in McPherson.



1                                   He says that he is now  
2 87 years old. During my time and part of the time  
3 I have been happy and other part of the time I wasn't  
4 happy too.

5                                   He says that many years  
6 ago, he says, I lived in Dawson City, and at that time  
7 he says he went down the river and he seen different  
8 things there and he says there he seen four big  
9 stern wheeler operating from Nome up to Dawson.  
10 When they fueling the boat they were burning fuel  
11 there in those boilers and he says whenever they were  
12 fueling up they spill lots oil, and he says an eddy  
13 is where a strong current and then the water sort  
14 of a whirling, and he says them eddies are just full  
15 of oil.

16                                  At that time he says  
17 those Indians around there they said, we wouldn't see  
18 any more King Salmon coming up this river --

19                                  THE COMMISSIONER: The  
20 Yukon River, is it?

21                                  A     Yes, and this is  
22 about 50 years ago. And last winter he said he  
23 went back to Dawson and visiting that place he said  
24 he still see the people are killing fish. He said  
25 he making this story, he say, it's something worthwhile--  
26 it is a worthwhile story that I am making right now,  
27 he says.

28                                  He said he got married  
29 over there and he said that he's living over there and  
30 his wife came to school and she was either Grade 10 or





1 12 and she really know and he says they're living right  
2 in town and he says they get newspaper every morning.  
3 Russian people they made newspaper, they put an article  
4 in the newspaper is what we seen in there.

5 At that time the article  
6 read and it says, one time ago Alaska -- we owned  
7 Alaska, and he said we sold it to the United States.  
8 You didn't pay us enough so give us little more money  
9 for it. So the president of the United States told  
10 him no. The United States told him and said no, and  
11 the Russian people said if you don't pay us anymore  
12 on it, he says, someday, he says, we're going to have  
13 war over it.

14 That is one short story  
15 of mine.

16 1914, 15, 16, around that  
17 time he says that the United States and the Canadian  
18 people, they made an article in the paper. They  
19 said they wanted to give the Yukon Territory and the  
20 Northwest Territories for debt. So he says they were  
21 given too much debt, so this is why they wanted to give  
22 it away. So the United States told Canadians that they  
23 had land big enough. He said it is hard to change the  
24 people and their ways, and during the time that I was  
25 living in Dawson, he says, I didn't know what was taking  
26 place and what was the activity in the Northwest Territory  
27 and the Yukon, part of it, I didn't know.

28 He said afterwards him and  
29 his family, they came over here to visit the people.  
30 1928. There was one Indian agent who used to come here,



1 his name is Harry and he say he was interpreter for  
2 him. And at that time he said he asked him and he  
3 asked him if he was a treaty Indian and he told him  
4 no. He told me, "Why don't you accept that treaty  
5 money?" He said that time he told him, he said, "When  
6 I work I earn \$5.00 very quickly. You want me to  
7 wait \$5.00 one whole year?"

8 At that time he said he  
9 told him, "As long as you live it's for that," he says,  
10 "you're getting \$5.00." He said he told him that he  
11 was going to go back home and ask his wife what she  
12 thought about it. He said he went and seen her and  
13 she told him, "Take it, you're not going to be lucky  
14 all the time, accept that treaty money for our chil-  
15 dren." And he says he went back to Yukon, around  
16 Dawson and he say he stayed there many years again  
17 and then came back here afterwards.

18 He says a pipeline is  
19 going to come and people are talking on this Inquiry  
20 thing about it and he says what they all say, he says,  
21 me I don't think that.

22 If this pipeline comes,  
23 he says, our children, he says, will get a lot of  
24 help from it. A lot of people think the pipeline is  
25 going to kill animal or game, but he says pipeline  
26 is not a poison. He said all the children are going  
27 to school, and he says they're getting high in grades  
28 and he says he is referring to his grandchildren that  
29 are now living in Aklavik.

30 He said after, he says,



1 the older people pass away like, and then he says the  
2 younger children they're educated, he says, they can  
3 make their living like white people.

4 He says if they want  
5 the pipeline now they can bring it and he says if they  
6 don't bring it now he says that one time to come, he  
7 says it would have come. That time he says if they  
8 don't bring it now and he says when the time comes  
9 they're going to put the pipeline through, he says,  
10 I wouldn't be around anyways, he says.

11 This is all I have to  
12 say, Mr. Berger, and thank you.

13 THE COMMISSIONER: Thank you  
14 very much, sir.

15 (WITNESS ASIDE)

16  
17 KAREN GRAHAM, sworn.

18 THE COMMISSIONER: Yes,  
19 go ahead, ma'am.

20 A My name is Karen  
21 Graham and I am one of the nurses in this community.  
22 The paper that I have was not prepared for the pipeline  
23 Inquiry. We presented it at the AA workshop in June.

24 Elizabeth and Neil Colin  
25 have requested that I read this again to illustrate  
26 the problem caused by alcohol in this community and  
27 their fears that these will increase during the construction  
28 of a pipeline.

29 The nursing station sees  
30 a wide variety of problems, due directly and indirectly



During the summer and early fall, during spring ratting when a lot of people are in the bush our numbers decrease quite sharply. We can notice an increase when everybody in town comes in, such as for the Berger Inquiry, we have had an





1 increase already because during this last week  
2 there are more people in town and you can notice a  
3 definite difference, we are much busier.

4 Broken bones are a regular  
5 occurrence, either because of a fight or because some-  
6 one is so drunk that his co-ordination is completely  
7 gone. He can't walk and keeps falling down. May  
8 trip over something that he hits too hard.

9 Another danger becomes  
10 apparent in winter. If someone stumbles and  
11 falls into the snow, he may well remain there and  
12 freeze to death. If it is not that serious or dramatic,  
13 we may just see him at the Nursing Station with  
14 frozen cheeks or ears or hands or feet. Alcohol had made  
15 him so numb and unthinking that he did nothing to  
16 prevent this, and sometimes it would have been easily  
17 preventable.

18 This winter there were  
19 only three serious freezings, but when you consider  
20 that two were due to alcohol and could have been  
21 avoided, that is too many.

22 Alcohol also damages the body  
23 itself directly. It can cause ulcers by irritating the  
24 lining of the stomach, and we have a good many people  
25 in this community who if they do not actually have  
26 ulcers, have alcoholic gastritis, and we see them  
27 quite frequently. Alcohol can irritate the vocal  
28 chords so that one's voice is always harsh and  
29 rough and we say someone has a "whiskey throat".

30 Some people become so



1 nervous after drinking that they can't cope with the  
2 slightest problem in their life. If anything goes  
3 wrong, they cannot sit down and say I have a problem,  
4 let's solve it. They panic or they try to ignore it by  
5 drinking more. We have a fair number of people in town  
6 with this problem. They are not fulfilling their  
7 own potential as people and they are not of any  
8 benefit to their community.

9 We have been quite lucky  
10 in Fort McPherson in that we have not seen any  
11 liver disease, but I would like to mention --

12 THE COMMISSIONER: Any  
13 what disease?

14 A Liver disease.

15 THE COMMISSIONER: Liver,  
16 yes.

17 A Cirrhosis of the  
18 liver. But it is also damage to the body which is  
19 aggravated by alcohol, and once the liver ceases to  
20 function, brain damage and death will follow.

21 A very dramatic and worrying  
22 result of alcohol is the overdose. There have been  
23 eight this winter since I came here in September. Three  
24 children have been poisoned because their parents  
25 were drinking and did not notice what their children  
26 were into. All three of these children were extremely  
27 lucky. They could have died very, very easily.  
28 Accidental poisonings are bad enough, but easy enough  
29 to understand when you think of how easily children get  
30 into anything and everything, but it hurts more



1 and upsets me more when you know that the children  
2 had two or three unsupervised hours to eat dangerous  
3 pills because his parents were drinking.

4 Young girls who drink  
5 and who are not getting the attention they wish  
6 may sometimes take pills. Their brains are so befuddled  
7 that they can't think of a good and acceptable way to  
8 get attention and therefore take pills. We have had three of  
9 these this winter.

10 Occasionally an alcoholic  
11 overdose may simply be a mistake, something that could  
12 be a tragic mistake, so far has not been. Thinking  
13 to take an aspirin for a headache, a drunk may just  
14 keep taking all the pills in the bottle, forgetting that  
15 he has already taken one.

16 The most distressing  
17 effects of alcohol that nurses see are the problems it  
18 causes in the family. The relationship between the  
19 husband and the wife suffers almost immediately.  
20 There is no real communication between them, and any  
21 irritations which exist become greater when drinking.  
22 There are quarrels, but no real attempt to solve a  
23 problem, neither of them will ever sit down and say,  
24 "Listen, what -- when you do this it really, really  
25 bothers me." It just builds up and builds up inside  
26 until they're drinking and then a fight starts.  
27 Sometimes a man will beat his wife, not because he  
28 hates her but because he can't stand himself and his  
29 own failures, and when he is sober and remembers what  
30 he's done, he feels even more ashamed and guilty which





1 often leads to more drinking. The wife who is always  
2 being beaten may come to believe that she is such a  
3 bad person, that maybe she deserves this beating,  
4 maybe she is really doing something wrong and she  
5 really deserves being beaten like this all the  
6 time. And if she feels like this she will never ever  
7 try to improve things or she may feel so helpless that  
8 she becomes convinced that there is nothing she can  
9 do to make her life better. She feels that she is  
10 not in control of her life in any way.

11 There can be no argument  
12 about who suffers most from alcoholism in a family, and  
13 that is the children. Parents who drink may simply  
14 neglect their children. This means inadequate food  
15 and clothing, no supervision to stop them from doing  
16 dangerous things or not bringing them for medical  
17 treatment until long after they become ill.  
18 Sometimes they arrive at the Nursing Station with  
19 something that might have been minor and easily  
20 attended to four days previously, but which has pro-  
21 gressed to such a state that the child is very, very  
22 sick and sometimes you begin to wonder if a family  
23 is drinking, whether you can trust them to carry out  
24 the instructions that you give them with a sick  
25 child. And it is something that you worry about  
26 when you send a child home with someone, with a  
27 family who drinks quite a lot.

28 Once in a while a drinking  
29 parent will take out their frustrations on their chil-  
30 dren and manhandle and beat them.



18 Some of the children of  
19 alcoholics learn neither the ways of the bush nor do they  
20 go to school. If their parents are drinking they don't  
21 make them go to school, often times it is difficult  
22 to make alcoholic parents understand the importance  
23 of school, but because they are so involved in alcohol,  
24 they do not teach their children how to live off the  
25 land. They cannot survive in the ways of  
26 their own people nor in the white man's way. What  
27 hope is there for them to grow up proud of themselves,  
28 their people and their way of life? They begin to  
29 show the affects fairly early by becoming behaviour  
30 problems by excessive shyness, by not communicating with



1 other people, by acting out by aggression, beating up  
2 on other younger children. A lot of  
3 problems that the school teachers come to us with are  
4 because the parents are alcoholics.

5 Children are wise beyond  
6 their years. You have only to witness their pride and  
7 support of parents who have stopped drinking. They  
8 are just bursting with it. No one is more aware of the  
9 strength this shows and how the value of their parents  
10 to themselves, their family and their community has  
11 increased since they ceased to depend on alcohol. The  
12 fact that children are happy when their parents stop  
13 drinking is an indication of hope for the future of  
14 their people.

15 The AA has made an excellent  
16 beginning in McPherson. Its members are a credit to  
17 their community. It has not been an easy battle, it  
18 will continue for some time. The AA members are often  
19 bothered by people who still drink, who are upset  
20 because these people have control of their lives,  
21 they are jealous of their sobriety, of the new way  
22 their lives are going and it makes things very, very  
23 difficult for them.

24 Even if the decision is  
25 in favour of the pipeline, I feel that every effort must  
26 be made to minimize the problems that can be foreseen  
27 as a result of its construction.

28 Thank you.

29 THE COMMISSIONER: Thank  
30 you very much, ma'am. We'd like to have your statement



Karen Graham  
Caroline Carmichael

1 so it can be marked as an exhibit, if you would let  
2 us have it, please.

3  
4 (STATEMENT OF KAREN GRAHAM MARKED AS EXHIBIT C-54)

5 THE COMMISSIONER: Excuse  
6 me, that is your statement, but when you began you  
7 said that some people had asked you to read it?

8 A Yes.

9 THE COMMISSIONER: I couldn't  
10 hear what you said. Do you mind repeating that?

11 A Well, I prepared  
12 this for the AA, and Neil and Elizabeth requested that  
13 I read it as an illustration of --

14 THE COMMISSIONER: I see.

15 A -- the problems that  
16 they were talking about. They thought it might have  
17 more bearing if I did it myself.

18 THE COMMISSIONER: Fine,  
19 thank you then.

20 (WITNESS ASIDE)

21 CAROLINE CARMICHAEL, sworn.

22 THE INTERPRETER: Mr. Judge  
23 Berger, my name is Caroline Carmichael. I'm 78  
24 years old. I have lived in this land all of my life.  
25 I was first married to an Indian, he died 1928, and  
26 then for three years I lived around here and then was  
27 married again when I moved down to Aklavik and been  
28 there since.

29 I came here McPherson for  
30 the first of July and then heard you and your staff was





1 coming here so I waited. I've prayed for you all so  
2 you will have a good visit with the people of Fort  
3 McPherson. I have seen and heard all what was said  
4 to you by the people here for which I was very happy  
5 to hear.

6 Me too, I would like to  
7 say a few words about the pipeline which everyone  
8 said something about, and I agree with them. I don't want  
9 pipeline. "No way" I don't believe it will do us  
10 any good, it will only spoil our good land and bring  
11 a lot of problems for our young and old people of  
12 this good north land.

13 This is all I have to  
14 say now, Judge Berger, and thank you very much for  
15 your nice visit to Fort McPherson, we will remember  
16 you in our prayers for all you are doing for us,  
17 all because we want to live happy all the time.

18 Thank you and may God  
19 bless you.

20 THE COMMISSIONER: Thank  
21 you very much, ma'am. That statement will be  
22 marked.

23 (STATEMENT OF CAROLINE CARMICHAEL MARKED EXHIBIT C-55)

24  
25 (WITNESS ASIDE)

26 THE INTERPRETER: I  
27 have one here, Mr. Berger, and I would like to read  
28 it.

29 CHARLES KOE, resumed.

30 A This is Charles Koe



1 talking. First I'd like to say hello to Judge  
2 Berger's staff and all the people of Fort McPherson.

3 This land is the best  
4 thing to the northern people in all the communities.  
5 Why we don't want pipeline to go over an area is something  
6 that grows on it: animals, trees and others. There are  
7 all six kinds of berries, roots which are all on  
8 the land which make it our food. We pick these  
9 berries for special occasions. Christmas, Easter, and  
10 other times which we are happy for. Sometimes we can  
11 use this land to grow other vegetables for our young  
12 people like what they do down south. Why we talk about  
13 this land so much is because we can grow more animals.  
14 We don't want all sorts of noise which can destroy  
15 our country and people. I see some tough times in my  
16 days to get food and other things to keep me alive. I  
17 hunt 300 miles which they call Hungry Lake area, Hart  
18 River, Blackstone. I'm not talking about myself,  
19 but about most of the people which been there also.  
20 I understand the pipeline they put natural gas in  
21 different areas down south. Next thing is going to  
22 be real gasoline so the pipeline is going to be three  
23 different kinds of natural gasoline, and fuel. We did  
24 not fight for ourselves until today. I understand that  
25 we should fight for ourselves. About time the people  
26 for the Government and the Government itself, also the oil  
27 companies, about time they should get tired of Indians  
28 saying yes. Time for them to say yes to the Indians.  
29 Quite a few times the Chief and the Council write  
30 out to federal and territorial governments and the



1 staff received this letter before the boss reads it, if  
2 anything is worthwhile against them they can throw  
3 it in the garbage. This way when you write out we  
4 don't receive an answer back. Did you hear from this  
5 meeting that most of the people here talk to you about  
6 it, this means they like their land, they were through  
7 with it during their young life. This means for every-  
8 one in Fort McPherson. Mr. Judge Berger, I really  
9 enjoy your visit and I know you'll be -- do the right  
10 thing. I also thank your staff and the Chief and Band  
11 Council and the CBC and translator. Thanks to all  
12 again. I wish you in good health and  
13 during your travels to communities and God Bless  
14 all of you. Sign, Mr. Charles Koe.

15 THE COMMISSIONER: Thank  
16 you. That will be marked too.

17 (LETTER OF CHARLES KOE MARKED EXHIBIT C-56)

18 (WITNESS ASIDE)

19  
20 THE COMMISSIONER: I think  
21 we will just take maybe five or ten minutes to  
22 stretch our legs and have a cup of tea.

23 THE INTERPRETER:  
24 Thank you, Mr. Berger, I have one fairly long one in  
25 front of me and so I would be glad if we break.

26 THE COMMISSIONER: Okay.

27 (PROCEEDINGS ADJOURNED)

28  
29 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

30





1 THE COMMISSIONER: Well,  
2 ladies and gentlemen, I'll call our meeting to order  
3 now and we'll resume.

4 THE INTERPRETER: I have  
5 been getting letters to read for other peoples, and  
6 at this time I have one here which I would like  
7 to present to you and it will be my own.

8 THE COMMISSIONER: Your  
9 own?

10 THE INTERPRETER: Yes.

11 THE COMMISSIONER: Fine.

12 JOHN CHARLIE, resumed.

13  
14 A This is dated  
15 July 10, 1975, and Mr. Berger, I would at this time  
16 like to take the opportunity to say a few words and  
17 before I say anything I would like to say it is indeed  
18 a pleasure to have you here these three nights and  
19 on behalf of Fort McPherson I say we are very, very  
20 happy to have you and your party here and discussing  
21 all our problems with you.

22 I would like now to  
23 proceed. I was elected Chief 1960 and back in by two  
24 acclamations and three years of that I was appointed  
25 from Ottawa and all those years I have been concerned  
26 with public affairs and --- I've been here, I came  
27 over here, and since 1929 I have seen quite a lot  
28 of change. 1935 I came to McPherson and I stayed  
29 around here until now and people Northwest Territory  
30 are very concerned about this land.



Anyway, Mr. Berger, one time I was in Yellowknife and we had a law teacher. I knew -- his name was Mr. Thompson -- either his first or last, I don't know, but he was Mr. Thompson, anyway. -- And he had a meeting with the people in



John Charlie

1 Yellowknife and he came to Yellowknife mainly to have  
2 a meeting with the people about the park that they  
3 wanted set on the east arm of Slave Lake, but the people  
4 in Snowdrift was concerned about that land, it was  
5 their trapping, hunting and fishing grounds, so they  
6 were opposed to it and I don't know how it is but  
7 I think it is still not a park. And this was how he  
8 read his final point. He said the wealth and the  
9 riches of the Northwest Territories is here for us  
10 Canadian people. So after he finished and he sat  
11 down, I got up and I introduced myself and I told him,  
12 I said, "Mr. Thompson," I said, "Referring to your final  
13 point," I said, "I would like to ask you when you  
14 talk about the wealth and the rich of the Territory  
15 is here for us Canadian," I asked him, "who is  
16 Canadian?"

17 So he couldn't say a  
18 word for awhile and so right away I got up again and  
19 I told him that when you talk about Canadian, I said,  
20 I was the one that was Canadian, and there was time  
21 ago I understood there is a department in Ottawa,  
22 it's Department of Citizenship and Immigration, I  
23 think it is, so I said, when you talk about Canadian  
24 I say that you're guest immigrant Canadian. And  
25 referring to the wealth and the rich in the Territory,  
26 this gives us an idea how to learn about all these  
27 things.

28 Mr. Berger, another time  
29 in 1970 I went to Prince Albert with Land Claim  
30 Commissioner, Lloyd Barber, and we went to Prince Albert



1 and they had a meeting with him and this one Indian  
2 guy came along and he said to Barber, he said that  
3 we understand that Northwest Territories was a very  
4 rich Territory, but we heard that the people there are  
5 very poor. During 1970 I was in Yellowknife, I  
6 seen two Indian who came from Manitoba and they  
7 talked with me about what changes took place when  
8 the white people first came into their area, and  
9 they said white man came killed all the game and all  
10 the fish.

11 When we hear talk like  
12 this we learn a lot from it. Beside people didn't  
13 understand much when they sign treaty, 1921, now  
14 when they hear about pipeline, in each community  
15 people got very concerned so everybody start talking  
16 about their land. They talk about their game and  
17 fur, fish, timber, are all very valuable to them for  
18 many years back and many years from now.

19 Mr. Berger, I must say  
20 that I am happy to hear pretty near all the people  
21 here are talking showing they're interested.

22 I must delete this because  
23 the question I was going to ask about the pipeline  
24 was asked today so we have a good answer on that so  
25 I will not ask.

26 One of the things that I  
27 am mainly concerned about is the game regulation. Some-  
28 time we get to find out there is some changes in the  
29 game and trapping regulation and without consultation  
30 with the people and I was thinking, if there is any





1 change in regulation should be made, I think that the  
2 people should be consulted and they should make a  
3 new regulation to their satisfaction.

4 Now this town here is  
5 in some way no satisfaction to peoples. Some of the  
6 houses are on utilidor and others have none. These  
7 houses -- the houses that haven't got the utility is --  
8 the people who live in it they have a honey bucket and  
9 they put them by the sidewalk and this place when  
10 you're walking on the road you find out that  
11 these roads and the ground is getting polluted all  
12 from sewage, and I think this should be well under  
13 consideration for health's sake.

14 I would now like to say I  
15 am happy being here and you wanted to know we all agree  
16 -- we all agree and they pointed out the way now  
17 pipeline will destroy and do many harm.

18 We all like to talk about  
19 our young generation and they are the ones who are  
20 going to live with all that will be coming and this  
21 is where we look into the future, should be well planned  
22 and not make mistake.

23 Mr. Berger, I just  
24 took a short time to write this so I had a hard time  
25 to write it because I never -- I went to school  
26 same as Mr. McDonald up at Hay River. I was sent there  
27 for five years, but due to circumstances I was called  
28 back three years. I never even made it half way past  
29 Grade three, so this is where I learned a little bit,  
30 was when I stayed with the Territorial Council and I



1 heard a lot and seen a lot, I made it now and I  
2 must stop and thank you very much.

3 THE COMMISSIONER: Thank  
4 you very much, and thank you not only for your  
5 statement, but let me thank you for the hard work  
6 that you have done interpreting here the last three  
7 days.

8 (LETTER FROM JOHN A. CHARLIE MARKED EXHIBIT C-57)

9 (WITNESS ASIDE)

10 MR. FRANCIS: We only have  
11 two more briefs to do.

12 JAMES MARTIN, sworn.

13 MR. FRANCIS: Mr. Berger,  
14 I have a brief to present to you from the chap here,  
15 but it's in two parts here. One was written earlier  
16 in the year and I would like to read them separately,  
17 since it is two separate parts.

18 "Mr. Berger,

19 My name is James Martin. I am 29 years of  
20 age. I was born and raised in Fort McPherson."  
21 This was written in Fort McPherson in January of this  
22 past year.

23 " The Native people are not fully aware  
24 of the research carried out by Arctic Gas causing  
25 them to be in a state of confusion. Although  
26 the Native people are considered the real  
27 experts on the impact of the pipeline on  
28 their land, their experience on the  
29 development of the pipeline is a problem.  
30 Right now the trapping and hunting remains



1       undisturbed. Year round the trappers and  
2       hunters depend on the caribou, moose, furs  
3       and fish.

4               What effects did the Indians down  
5       south have with such thing as the  
6       pipeline?

7               With pipeline related activities, for  
8       instance, seismic work, which have already  
9       taken place, the native people never was  
10      consulted about its effects on the land.  
11      We can remember as far back as the mid-50's  
12      when the oil exploration began to take place.  
13      Strange helicopters flew into McPherson.  
14      Tents with white people were scattered all  
15      over McPherson.

16              There was only one Band Council at  
17      the time and the chief was not familiar  
18      with Land Use Applications.

19              The people can give evidence concerning  
20      the specific areas of land which are used  
21      by them for hunting, trapping and fishing.

22              The studies done for Arctic Gas is only  
23      a white observation. It's not the native  
24      kind. They are not always complete or  
25      accurate.

26              ' It wasn't until 1955 when a liquor store  
27      was set up in Aklavik, in the Northwest  
28      Territories and then transported over to a  
29      place called East Three (Inuvik, now). The  
30      Indian people began to lose control of them-





1 selves up to the present time.'

2 Alcohol is a serious problem in  
3 Fort McPherson and this possibly could  
4 become worse with the roads or highways  
5 coming into the settlement. Roads are  
6 planned into McPherson from the northwest of  
7 Compressor Camp proposed 23 miles northwest of  
8 McPherson....The camp is expected to remain  
9 in the area a minimum of 20 years. During  
10 this long period of time we expect social  
11 problems to exist."

12 He has some social problems that he expects:

- 13 "1) The whites will get involved with the  
14 native girls.  
15 2) Indian employees will learn of drugs.  
16 3) Native workers at the camp will bring  
17 in their friends.  
18 4) Some intelligent white will plan to  
19 set up a business and make a killing  
20 of the drunken Indians. (This is happening  
21 in Inuvik).  
22 5) Teenagers will become a public nuisance.  
23 6) More crime.  
24 7) The trapping and hunting will die down.

25 'When the Dempster Highway is completed within  
26 two years, Fort McPherson will no longer  
27 remain a settlement. It will expand and its  
28 present social problem will become a resume.'

29 Today hunting, trapping and fishing is  
30 important to the native people of Fort McPherson



1 because of the very high increase in  
2 food prices. It's cheaper living out in  
3 the bush.

4 The Fort McPherson Settlement Council  
5 (an organization of six councillors and  
6 one chairman) has control of local development  
7 in the communities. In the wage economy, the  
8 majority of the hunters and trappers in the  
9 settlement are in favour of remaining  
10 self-employed because of their families or  
11 parents. The federal government has to  
12 recognize the needs and goals of the  
13 native people.

14 As far as training for employment with  
15 Arctic Gas has gone, the situation doesn't  
16 look so good. Some younger men has already  
17 gone as far outside as Calgary, Alberta,  
18 to get training and are eventually  
19 returning back to their home communities. The  
20 feedback on that point of view is unknown and  
21 must be heard.

22 'Most important, the older people in  
23 Fort McPherson would like to see the  
24 federal government support them more in claiming  
25 for their land for the next younger generation.'  
26 Gemini North, a consultant for Arctic Gas,  
27 held a meeting with the people in Fort Mc-  
28 Pherson on October 11, 1973, at 8 p.m. in  
29 the Anglican Hostel.

30 1) The people would like to see construction



1 camps located out of town and away from  
2 the settlement.

3 2) Prohibit the movement of workers into  
4 the community.

5 3) Give the people time to think about the  
6 impact.

7 4) A recommendation to present to the government  
8 along the pipeline route for possible  
9 problems.

10 5) Natives need to understand development  
11 planning.

12 6) Avoid tax on land.

13 7) Better housing conditions.

14 8) The pipeline is too close to Fort McPherson.

15 9) Trappers be paid for damages in their  
16 area.

17 10) A biologist to give information about his  
18 study on the pipeline in the delta.

19 11) Trained people be given higher class jobs.  
20 They require more practical work to become  
21 qualified.

22 This was some feedback from the audience  
23 at that meeting. Gemini North did not stay  
24 in Fort McPherson long enough to understand it  
25 as a community."

26 That is number one.

27 THE COMMISSIONER: How  
28 long were Gemini North in Fort McPherson?

29 MR. FRANCIS: Oh, you  
30 could direct that question over to this particular guy.



Mr. Berger, in recommending your decision to the Minister of Indian Affairs and Northern Development in Ottawa after this very important inquiry I would like to predict what Father





1 Adams of Inuvik, that if the Indians do not  
2 meet their demands there will be frustration  
3 and hostility which could lead to riots when the  
4 pipeline will become one big cloud of smoke.  
5 James Martin."

6 Thank you.

7 THE COMMISSIONER: I'd  
8 like this statement of Mr. Martin's marked and  
9 the second statement that he wrote today marked  
10 "A" to the number that you give to his first statement.  
11 (STATEMENT OF JAMES MARTIN MARKED EXHIBIT C-58)  
12 (STATEMENT OF JAMES MARTIN DATED JULY 10, 1975, MARKED  
13 EXHIBIT C-58A)

14 THE COMMISSIONER: Thank  
15 you, Mr. Martin.

16 CHIEF CHARLIE: I have  
17 one short one here, Mr. Berger.

18 ROSIE STEWART, senior,  
19 sworn.

20 CHIEF CHARLIE: And  
21 the letter reads:

22 "Dear Berger,

23 I am very sorry that I can't talk myself  
24 as I never come to meeting often before this  
25 meeting, so I am just going to thank you and  
26 your party, also the chief and the ancillors  
27 of Fort McPherson. I really don't know what  
28 to say, now I am going to tell you that my  
29 dad died in 1946, after that me and my mom  
30 and I started making our own living as my



1 brother and sister were small. At that time  
2 my mom and I done our best on the trapline and  
3 my dad left us behind with right up until  
4 now. But today I'll tell you, it's not like  
5 the years back since the road came through  
6 the Delta each year to me. In our area what-  
7 ever we hunt and trap for as well as fish is  
8 getting less each year. I'm pretty sure that  
9 as I see it myself I remember in 1951 myself  
10 and my brother, one of my uncles went out on  
11 our area two nights. Between three of us  
12 we kill 279 rats. But now after the road came  
13 through, they made<sup>four</sup> bridges across the creek.  
14 We go up by kicker and boat to work for our living  
15 and this spring my brother went up the creek to  
16 hunt, camped one night, next day he come  
17 back with two rats. You can see why peoples  
18 don't want pipeline and I agree with everyone  
19 who don't want the pipeline through. That's  
20 all I'll say and I hope you have a pleasant  
21 journey and good luck to you and your  
22 party. Thank you very much for spending some  
23 time with the community.

24 Rosie Stewart, Sr."

25 THE COMMISSIONER: Thank  
26 you.

27 (LETTER OF ROSIE STEWART SR. MARKED EXHIBIT C-59)

28 (WITNESS ASIDE)

29 JOHN SIMON, resumed.

30 A Mr. Berger,



1 everything I seem to write down is brought up before  
2 I get a chance to bring my presentation to you, but  
3 this is the third one I wrote now and I am going to  
4 read it as it is written, even though some of the  
5 things have been mentioned already, I'll just read  
6 it through as it is.

7 Mr. Berger, as a member --

8 My name is John Simon and I was born and raised in  
9 Fort McPherson. Besides being a member of the band  
10 council, I am the Chairman for the Fort McPherson  
11 Settlement Council.

12 Mr. Berger, as a member  
13 of the band council and Chairman for the Settlement  
14 Council I now present to you a summation of what was  
15 said to you during the past three days.

16 We from the band council  
17 and from the Settlement Council which I now represent,  
18 are under the impression that from all the statements  
19 presented to you, Mr. Justice Berger, at this hearing,  
20 will understand the concerns of the people in this  
21 community on how the pipeline will affect our lives  
22 both socially and economically.

23 And how much any major  
24 projects carried out in this part of the Northwest  
25 Territories will mean in the destruction of the  
26 livelihood of the Indian people.

27 And we also hope that  
28 you understand that the people were trying to convey  
29 to you in the best way they know how, to explain how  
30 the exploration carried out during the past years have





1 already damaged a great part of their lives and livelihood.

2 And we also hope that  
3 you understand how the people are trying to tell you  
4 how much say we have in decision making and planning  
5 for the future of our children in the community and  
6 in the Northwest Territories as a whole.

7 We also hope that you  
8 understand that the people live in a different way to  
9 the white man and that the food we eat is different  
10 to the way the white man is used to.

11 And that this is part of  
12 the reason why young people do not stay away from  
13 the community to finish their training at Fort Smith  
14 or at the Yellowknife School, and that this is the  
15 reason why the men and women do not hang on to their  
16 jobs out of town.

17 And we hope you understand  
18 that we are requesting a part in the planning and  
19 building of the Northwest Territories, such as the  
20 pipeline.

21 And that the consultation  
22 of the government and other big companies to the  
23 people before planning a project like the pipeline  
24 does not mean that our proposals will be accepted  
25 by those involved.

26 And that the projects will  
27 be carried out regardless of any protest we may raise  
28 against the effects of such projects that will in any  
29 way interfere with our way of life, such is the case in  
30 building the pipeline.







1 way and it will always be, unless we take it into our  
2 own hands to change some of the policies of the  
3 Government.

4 We hope that you under-  
5 stand that we do not want to live in government housing,  
6 and we hope that you understand that we do not want to  
7 live on welfare. Our fathers never did, so why should  
8 we?

9 We hope that you understand  
10 that the land we are claiming is the only security  
11 we will have as a starting point to regain our in-  
12 dependence and to regain our long lost pride.

13 And we want you to know  
14 that if all we tried to convey to you at this hearing  
15 is not fully understood, the hearing of the past  
16 three days have been in vain and since this  
17 is the only opportunity we have to present our  
18 concerns to the government concerning all major  
19 projects carried out in the Northwest territories, and  
20 the effects it will have on our way of living and what  
21 danger and destruction it will cause us both socially  
22 and economically. Then we are no better off then we  
23 were before.

24 What I have said and was  
25 said by the people of this community was said or will  
26 be said by all other communities along the Mackenzie  
27 River, since all Indian people live a life similar  
28 to each other and it will take a long time to change  
29 them if they are ever going to do so.

30 We want you to know, Mr.





1 Justice Berger, that we have all heard and some of  
2 us have seen what happened to Indian people down south  
3 and we don't want that to happen to us here in the  
4 Northwest Territories.

5 Maybe what we have  
6 to say to you at this time does not fit in with the  
7 pipeline as you understand it, but to us it has  
8 everything to do with the building of the pipeline.

9 We understand that  
10 the gas and oil has to be moved out of the north to  
11 be used down south. We understand that it is  
12 necessary to the white man, but what we are asking  
13 is necessary to us as well.

14 The only solution is to  
15 get together and seriously consider the problem from  
16 both sides. I am sure that there is a satisfactory  
17 answer to the problem.

18 What more can I say or  
19 what more can we say, Mr. Justice Berger, and for  
20 whatever you try to accomplish for us we know you  
21 will handle everything without prejudice and that  
22 you will not take sides. But will follow the  
23 procedures of the law every step of the way.

24 That's all, thank  
25 you.

26 THE COMMISSIONER: Thank  
27 you very much, Mr. Simon.

28 (SUMMARY OF JOHN SIMON MARKED EXHIBIT C-60)

29  
30 (WITNESS ASIDE)





1                                    JANE CHARLIE, sworn.

2                                    A     Mr. Berger, staff of CBC

3        Chief , lady and gentlemen, I'm not from here  
4        and I missed the Berger Hearings in McPherson. I was  
5        really looking forward to it and I was thinking to  
6        myself that I have to come through with it while I'm  
7        here.

8                                    To start off with, Mr.  
9        Berger, this land is our land. We were on it long  
10       before the white people and when I think of this  
11       pipeline I just get so sick of it. That's how much  
12       I don't want it to come through.

13                                  Sure we all know it going  
14       to come through even though we don't want it to  
15       come through. It's going to spoil our land and  
16       its people, especially the young people. I say this  
17       because I see things with my own eyes through the  
18       white people, Mr. Berger. Some white people are real  
19       good and some are like dogs. I say this because I  
20       have **girls** too. I see what it's done with my  
21       **nieces** in Inuvik, Mr. Berger. My sister is right here  
22       in this meeting. My niece was nice girl until one day  
23       one white man came along and told her that he was  
24       single. After she became an alcoholic and that  
25       white man is gone.

26                                  One day when I was with  
27       my sister in Inuvik, she had a phone call from  
28       Vancouver and someone asked her if she was Mrs.  
29       Greenland and she said 'yes' and this woman told her,  
30       "I heard your daughter is going out with my husband,"  
      and my sister told her, "I try so hard to talk to my



1 girls to be good and you white women's husbands  
2 come down north and say they're single. They don't go  
3 only with my girls, they go with the Eskimo girls  
4 too. Why don't you white women come with your  
5 husbands, don't ever phone me again."

6 When the road came to  
7 McPherson last year, the first taxi came to town. The  
8 next day two girls were missing. My cousin was  
9 looking for them and here they had taken off with the  
10 taxi. All that makes me mad, that's why I don't like  
11 the pipeline. These are my nieces, they're just  
12 like my own girls. Now I worry about my own girls, how  
13 they will grow up. When I hear that there's going to  
14 be 800 people in every camp, I hope they make a law  
15 that the white people will have to stay away from the  
16 Town of McPherson. Like I said before the  
17 white people are good but some are no good.

18 The same thing with the  
19 RCMP. If somebody reports to them about underage  
20 girls that drink and run around they don't do  
21 anything, they just tell us it's your kids, you try  
22 and make them good. This again, I see it. Some women  
23 go to the RCMP and they ask me to go and interpret  
24 for them, that's how come I know. The Indians are not  
25 stupid as they think we are. We just take one look  
26 at them and if they don't like us we know it. I  
27 hope something can be done for us for this.

28 Another thing I hear the  
29 white man say, "The younger generation don't go  
30 out in the bush anyway so they can put the pipeline



1 through, and that's BS. Because right in McPherson  
2 there were no rats in three years and this spring there  
3 were lots of rats. And I've seen some Grade 12  
4 students go out and catch those rats. Sure, they still  
5 want to go in the bush. When there's caribou, they  
6 all go out there. You can't say those young people  
7 forgot what to do in the bush. They can't get stuck in  
8 the bush, they know what to do.

9 And I'm the one that goes  
10 in the bush, every year. We never miss and I don't be-  
11 lieve them saying they never spoil the land. This  
12 spring in April, I went out in the bush. I went  
13 with my husband every day to haul caribou and my  
14 husband showed me where they had a camp and where they  
15 dynamite. It was quite a big place, not one caribou  
16 track was on that part. Outside of that part it was  
17 just tramped with caribou tracks. There used to be  
18 lots of rabbits and ptarmigan, now there's nothing.  
19 Fish is the same way. They spoil two good fish lakes  
20 there. We used to get fish for a year from those  
21 two lakes. Now, you're lucky if you get one.

22 They even spoil the creeks,  
23 we never get fish at the mouth of that creek again.  
24 So you see, this proves that they do spoil the land.  
25 They never ask us to come in the land before, they  
26 start these things. Now they got us to the worst part,  
27 they want us to say something. Why didn't they ask us  
28 when they started to cut up the seismic lines. They  
29 never think, they just go everywhere they want.

30 I have a lot more to say,





1 but I think this is all I can say.

2 Thank you very much, I  
3 wish you all the luck. And with the strength of  
4 God, you will help us Indians. Thanks again.

5  
6 (WITNESS ASIDE)  
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we had a dance, prior to 1966 we had our own community hall, up beside where the new Bay is now and I believe that the Department of National Health and Welfare tore it down and the Government, if I am correct in saying this, said that they were going to build another one, and we never seen it yet, and six years ago when the Settlement Council first started, I was on the council and John Simon was there



1 and some other teachers and a couple other business-  
2 men were on the council. We put in a proposal to the  
3 Territorial Government for a recreation hall and  
4 since then we have -- there has been no feedback  
5 from the Government, they said you guys fix up your  
6 own plans and like when you fill in your plans it's  
7 got to go to the D.P.W. and of course, we're not  
8 that capable of making our own -- drawing up blueprints,  
9 and if you sent to D.P.W. and they look at it as  
10 fire regulations and they throw it back to you and  
11 say it is no good, do it over again, and this is going  
12 to continue and they've been giving grants away for  
13 say, they give Fort Rae six or to ten thousand  
14 dollars for their community activities, and why can't  
15 they just give us money to build our own recreation  
16 hall? That way you solve all the problems and  
17 drinking, and there is no way out of it. These A.A.  
18 groups and nurse, and myself, we talk about alcoholism,  
19 you hear it on the radios, you hear it all over  
20 Canada that the natives are drinking, and the whites,  
21 they're no different, and what we need is someplace  
22 where we could go even now. Like when the Chief  
23 on July 1st wanted to make feast, you got to phone the  
24 Superintendent of Education in Inuvik to get permission  
25 to use this place and permission to dance in here,  
26 just like we've got no say in the community, we are  
27 all governed by somebody, somebody is on top of us,  
28 somebody is on top of education, somebody is on top  
29 of trapping -- like we can't make our own decisions: we  
30 do make them, we request them to the Government, they



1 take it and I don't know, we never hear no answer,  
2 and you ask any one of Trapper's Association or  
3 anyone of the groups, that this is a true fact.

4 I'd like you to recommend  
5 to the Territorial Government that they do something  
6 about a recreation hall in McPherson before it  
7 is too late. You could come back about five years  
8 again and you'll still hear how much money we spend  
9 on alcohol, how much guys got picked up, how many  
10 canoes somebody could have bought if they weren't  
11 drinking -- we've got to have a place to go. There  
12 is no way out of it.

13 I know a lot of the  
14 young people, even -- there is a guy here who is  
15 a carpenter, and he is a good carpenter, he told me  
16 that there is no place for him to go so he's got  
17 to drink and he gets drunk and he stays drunk for  
18 about four days, never goes to work and then, --  
19 you know, things like that, you have to have some  
20 place to go, and if that's the truth I could ask --  
21 Neil Colin could either nod his head or disagree with  
22 me -- is that true Neil?

23 MR. COLIN: I agree with  
24 you that there has to be some place for young people  
25 to go.

26 A Okay, that is all  
27 I have to say and I hope you recommend that to the  
28 Territorial Government, for, like we put in proposal  
29 to send out people on the land too, like what they  
30 done in Good Hope last year -- they call it --





1 Territorial government call it "outpost policy" and  
2 they gave Fort Good Hope Trapper's Association  
3 \$10,000 to send them out on the land and it  
4 was a success, and then we put in a proposal and  
5 we never heard about it yet. Johnny is the president  
6 of the Trapper's Association and he never heard  
7 nothing about it. You see we get tired of  
8 writing letters, we get the settlement secretary  
9 piled up with letters and then she ships them out  
10 and then there is nothing, no feedback. Maybe  
11 it should be a different government -- maybe Indian  
12 Affairs should take over.

13 Okay, thank you.

14 THE COMMISSIONER: Thank  
you, Mr. Itsi. Thanks very much.

Well, that may well  
17 be all of the people who wish to speak. Do you  
18 wish to say anything, chief?

19 CHIEF CHARLIE: Yes, I  
20 was just waiting.

21 CHIEF JOHNNIE CHARLIE, resumed

22 A Mr. Berger, sitting  
here listening to my peoples talking to you about  
how they feel about the pipeline coming through in  
25 their land, you have heard 62 peoples now telling you  
26 what they think of their land and I agree with everyone  
27 of them peoples who present to you.

28 We live in this north.  
29 We were born here and we were raised here and we  
30 make our living in the trapping and hunting and



1 fishing, but most of us, we don't have steady jobs.

2 When trapping season  
3 opens in November we have to start working for our  
4 dollar, which means if the temperature drops to  
5 50 or 60 below you still have to be on your lines.  
6 And when you are on that line<sup>if</sup> you want to warm up,  
7 you have to make a fire, melt some snow and make  
8 a cup of tea, and you sit there shivering drinking  
9 your tea when the steady employed persons they  
10 can go in and out of the building and have their  
11 coffee sitting at the table.

12 At one time, Mr. Berger,  
13 we had a lake northwest of here -- which is named  
14 Husky Lake. The reason they call this Husky Lake,  
15 the name of it, is just the shape of a "H", and  
16 there used to be lots of fish on that lake. I  
17 remember in 1963 Imperial Oil started working in  
18 this area, they passing that lake and they done  
19 some blasting on the edge and the next fall,  
20 <sup>was a</sup> there/ couple of guys, they went to freeze in there,  
21 they're going to kill lots of fish. They were  
22 up there for about a week. They had to come back.  
23 The lake was no good.

24 It was not good because  
25 they had nets on it and the fish wasn't there.  
26 So everybody talking about these oil companies  
27 ruining the country. It's right clean around  
28 McPherson and Arctic Red, Inuvik and Aklavik, and  
29 you heard from Aklavik peoples, complaining about  
30 the oil exploration.



1 When we peoples go  
2 hunting across the mountain by Skidoos or dog team,  
3 we have lots of creeks to cross ahead of us. Now,  
4 you could see some of these exploration seismic  
5 lines, are putting out creeks themselves.

6 I looking at a picture  
7 like that, Mr. Berger, the peoples are scared to  
8 see the pipeline come through, that it'll do more  
9 damage to their country. Talking about Husky Lake,  
10 no more fish on it. A few years ago I had one  
11 guy with me. We were setting on one lake  
12 down in my area. When we looked at his net there  
13 were two or three big holes in these nets. At the  
14 time my dad was living, I told him and he said  
15 there is some northern pike in that lake, maybe  
16 five or six feet long. Now, that's the one that  
was tearing up the nets.

17 Thinking about it I was  
18 thinking of put a fishing lodge there, it's a good  
19 lake for plane, and I caught one of that fish  
20 in the net. That same winter there was a seismic  
21 camp right on the edge of that lake, when I was  
22 looking at my traps. I stopped at that camp and the  
23 crew all came out. They asked me what I was  
24 doing. I told them I was looking at my traps,  
25 this was my line, there's few lynx that year,  
26 and the bulldozer been dozing over four of my  
27 traps, on the edge of the road there there was a  
28 half a link which they had been cutting in half  
29 with a blade. Can't find the traps so I never  
30





1     bothered it.

2                                 So I told the boss about  
3     it, I tell him I don't mind about the four traps,  
4     I told him I could buy them four traps, but I tell  
5     him that the fish that you're losing for me on  
6     this lake, I said, maybe they'll never come back.  
7     I asked him if he had done any blasting on that lake,  
8     he said, no there were three holes we blast.  
9     Well, I told him three is enough to kill off the  
10    fish in that lake.

11                                The next fall I set  
12    two net on that lake and three days I got one little  
13    jack fish.

14                                Looking back at all this  
15    makes the fellow trapper or hunter think more of  
16    the pipeline that's going to come through. Mr.  
17    Berger, as I said, you have been listening to 62  
18    peoples all against this pipeline. They are all  
19    against it because it is going to ruin their country  
20    and where do we go to hunt? Where are we going  
21    to teach our kids to live off the land. Peoples  
22    are complaining that the pipeline is too close  
23    to our town. We complain over and over, still  
24    we have never been heard. Mr. Berger, I hope that  
25    you are not just sitting with us and listening to  
26    us. I hope that you can back us up on this.

27                                The pipeline that is  
28    down here about four miles, even if it was ten to  
29    fifteen miles away, we will all be still chicken  
30    but it is about four miles from here where we can



just about see them working with it.

Should anything happen four miles down here, what is going to happen to the Mackenzie Delta? We have two communities below us, Aklavik and Inuvik, and then they'll go right down to the coast.

Some people are saying, and I agree with them, that they say the pipeline should be put across the Shallow Bay over to the other side, but there you have Tuk peoples too and they won't go for that, but if anything happens there, it will be down below the Mackenzie Delta.

We've heard already that there is one down in Alaska. Maybe they could put it down there.

But three weeks ago, they were having a meeting right here and in that meeting they said that they had some information saying that the Gas Arctic wants 16,000 pilings from the McPherson area. We have that piling in our area. Who is going to replace them after we cut them? Once you cut a tree down it won't grow again, the stump dies and we lose that much. We get money for it, but the money don't go far with the price of stuff that is in the store now.

So Mr. Berger, on listening and seeing the slides of Mrs. Simon reminds of us of the way that McPherson used to be, ten, fifteen, or twenty years ago, that McPherson will never again look like that.



The 16,000 pilings that Gas Arctic want, its going to leave a lot of damage behind. What -- even you disturb the permafrost little, that start giving, and the brush that's going to be left behind is going to be a fire hazard. And if the pipeline come through and anything happened to the brush piles, start a fire, the pipeline will be in danger of fire and it will get worse.

Before anything happens  
you've heard from the trappers and the hunters and  
the peoples of Fort McPherson, how they are all  
against the pipeline.

Last winter, peoples had a good time here with lots of caribou, but that caribou is all down where that proposed gas line is now. I stay about four miles from the mountain, that's where I got my cabin, and there's one oil outfit that drilled a hole there about four years ago, and I have worked on the rig and I know what the place looks like after they've finished and that one area last winter there was lots of caribou, but the caribou never went there. I don't know if they smell that stuff under the snow or -- things like this. The blasting that they are going to do for the pipeline will kill and scare more animals out of this country and where will we be? We will be still here.

We are trying to teach  
our kids to live off the land. There is lots of



1 kids are interested, they like going to the bush,  
2 but after our land is being destroyed there will  
3 be nothing to take them out there for, so before  
4 all this happens, that's why we are fighting.

5 The delta is the bank  
6 to the trappers and hunters. On the 15th of June  
7 the ratting season closed, but everybody quit before  
8 the 15th to leave a little for next year. So by  
9 leaving it for next year, and then next year the  
10 oil companies come blasting around the edge of them  
11 lakes and then the trapper loses all of them rats.  
12 The trapper is trying to do good for himself, but  
13 there's oil outfit that doesn't care for the trappers  
14 and they just kill off their fur.

15 In 1971 in three weeks  
16 me and my son we got 1,180 rats. A year after that  
17 seismic line went through there, we never even got  
18 700 rats. It is going down worse this spring.  
19 The lines the seismic lines put through the delta,  
20 they dam creeks with logs, mud, they never take it  
21 away and then this builds up with mud and then  
22 it is like a beaver dam.

23 I had a friend of mine  
24 went working with me down on that area where I was  
25 shooting rats and we were going to make short cut  
26 down this creek, I told him to go down this creek, we started  
27 down  
27 /there was too big log jam, we couldn't go through,  
28 that oil outfit left the bridge there.

29 Sometimes they blast by  
30 beaver house, well, they kill them beavers off too.





1 So all this is making  
2 the peoples talk, but we just can't seem to get  
3 any help any place. Mr. Berger, I know that  
4 you are sitting there listening, and I hope you  
5 could help us, back us up on our complaints about  
6 the pipeline. I have a piece written right here  
7 which John Itsijust mentioned to you, that you  
8 seen for yourself last night where we danced.  
9 If we had a place to dance or a hall of our own,  
0 we'd never bothered this place last night. That  
1 is why we have to borrow this place to dance.

Alcohol is a problem in this town, as people say, it is true. Our young peoples got no place to go, nothing to do. This is why the drinking is a problem. So by listening to us, Mr. Berger, and I think you have a few more to listen to.

18 With this I will close  
19 for now, thank you.

20 THE COMMISSIONER: Thank  
21 you very much, Chief.

22 (STATEMENT OF CHIEF JOHNNIE CHARLIE MARKED EXHIBIT C-61)  
23 (STATEMENT OF JANE CHARLIE MARKED EXHIBIT C-61A)

24 (WITNESS ASIDE)

25 ANDREW STEWART, sworn.

27 A Mr. Berger, I want  
to talk a little about the pipeline.

29 Last year when these people  
30 that were going around with maps about the pipeline  
we asked them to put the pipeline along -- if it's



I don't think we'll get no benefit from this gas anyway, because all these houses around here are government rental house that the people are in and I doubt very much when they could get oil they are going to change to this gas, so that way I think that it is better that the pipeline goes down below. The water is not strong there and the ice don't bother like it does up here and it is a



1 low country and whatever company puts in the  
2 pipeline, I'd like to see them put it down there  
3 because you heard how valuable this delta is to  
4 the people. There's Indians and the Eskimos are  
5 all trapping in this and making a living out of  
6 this delta, and as a lot of these boys said,  
7 before, they say when they work in the delta,  
8 they cross the creek, they dam it and they don't  
9 take the dam away and this is very bad because in  
10 the springtime these boys got to go around hunting  
11 and boy, when you spend a night and a day working  
12 hard and have to make portages like this it is very  
13 hard on people. And not only that, once if it is  
14 put down across the mouth, right next to the coast  
15 there, the country is flat and I think if they  
16 buried it good it won't affect nothing and once  
17 they go across on the east side and it is still on the  
18 height of the land, it won't affect no river at all.  
19 No fish, no nothing and there will be very few places  
20 that the pipe will have to cross the river that  
21 way.

22 So, I hope that you  
23 see that the companies that's going to put this in,  
24 pipe in, that it goes across this way, and this  
25 way a lot of the settlements wouldn't see this  
26 outfit coming around near the town. They say they  
27 don't want them around -- well, this will prevent  
28 that too, and not only that, all this side, the  
29 fowl rats, caribou, won't be affected. Once it  
30 crosses that side of the country it will be on the





1 before you close there we'd like to give you a  
2 little present from Fort McPherson, so you go ahead  
3 and finish your --

4 THE COMMISSIONER: Well,  
5 I should just close our hearing. I wonder if  
6 you would interpret what I say, Mr. Charlie. I  
7 want to thank all of you, Chief and Chairmen  
8 of the settlement Council, members of the council  
9 and I want to thank our interpreters, Mr. John  
10 Charlie and Mr. Tadit Francis for being so helpful  
11 in translating from English into Loucheux and Loucheux  
12 into English.

13 Everything that you  
14 have said has been written down and I will be able  
15 to read it and re-read it as I go along with my  
16 work in this Inquiry and I will see that copies  
17 of what has been said here today are sent to  
18 the Chief and to the chairmen of the Settlement  
19 Council and we will also send them copies of all  
20 of the statements that were handed in today so  
21 that you will have those here in Fort McPherson  
22 for your own purposes.

23 My job is to listen  
24 and to learn and I have listened to each one of  
25 you and I have learned from each one of you, and  
26 I will be thinking about all that you have told me.

27 And I want to thank  
28 you for your hospitality, and my staff and I, and  
29 of course the members of the CBC team, and the  
30 press, we've all enjoyed our stay here in Fort



1 McPherson and enjoyed meeting all of you and  
2 we will remember our visit here for a long time.

3 I think that is  
4 all that I have got to say.

5 CHIEF CHARLIE: Thank  
6 you, Mr. Berger. We didn't know what to get for  
7 you, Mr. Berger, just a little present to take  
8 home and you could probably hang it on your wall.  
9 -- went down to handicraft but we couldn't buy  
10 a necklace for you because necklace won't look  
11 good on your neck, so --

12 So we bought you a  
13 little --

14 MR. CHARLIE: On behalf of the  
15 Chief and the people of Fort McPherson, we now  
16 present to you a gift as a token that your visit  
17 to Fort McPherson will not be forgotten.

18 CHIEF CHARLIE: Open  
19 it.

20 THE COMMISSIONER: Thank  
21 you very much. It's a very nice gift, chief, and  
22 Mr. Charlie, and I want to thank all of you.  
23 This wallet will be a memory that I'll always be  
24 able to carry with me so that I will not forget  
25 Fort McPherson whenever I have to take it out  
26 and spend any money, and you chose a gift that makes  
27 it pretty certain that I'll be thinking of you  
28 often.

29 So thanks very much,  
30 Chief and thank you all.

(PROCEEDINGS CONCLUDED)

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Community 13

Mackenzie Valley pipeline inquiry:

Community 13 Ft. McPherson, N.W.T.

10 July 1975





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MacKENZIE VALLEY PIPELINE INQUIRY

Government  
Publications

IN THE MATTER OF AN APPLICATION BY CANADIAN ARCTIC  
GAS PIPELINE LIMITED FOR A RIGHT-OF-WAY THAT MIGHT  
BE GRANTED ACROSS CROWN LANDS WITHIN THE YUKON  
TERRITORY AND THE NORTHWEST TERRITORIES FOR THE  
PURPOSE OF THE PROPOSED MACKENZIE VALLEY PIPELINE

and

IN THE MATTER OF THE SOCIAL, ENVIRONMENTAL AND  
ECONOMIC IMPACT REGIONALLY OF THE CONSTRUCTION,  
OPERATION AND SUBSEQUENT ABANDONMENT OF THE ABOVE  
PROPOSED PIPELINE

(Before the Honourable Mr. Justice Berger, Commissioner

Old Crow, Y.T.

July 11, 1975.

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PROCEEDINGS AT COMMUNITY HEARING

VOLUME 14

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COMMUNITY  
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APPEARANCES:

Prof. Michael Jackson	for Mackenzie Valley Pipeline Inquiry;
Mr. Darryl Carter	for Canadian Arctic Gas Pipeline Limited;
Mr. Ron Veale	for Council of Yukon Indians;
Mr. Glen W. Bell	for Northwest Territories Indian Brotherhood, and Metis Association of the Northwest Territories.

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CANADIAN ARCTIC  
GAS STUDY LTD.

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1 Old Crow, Y. T.

2 July 11, 1975.

3  
4 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

5  
6 THE COMMISSIONER: Well,  
7 ladies and gentlemen I will call the meeting to order.

8 MR. SITTICHINLI: Now that  
9 the meeting is in order, we want the Minister to say  
10 a word of prayer before we begin.  
11  
12

13  
14 (REVEREND WATT ASKS BLESSING)  
15  
16  
17

18 THE COMMISSIONER: Well  
19 ladies and gentlemen, I am Judge Berger, and I am con-  
20 ducting an inquiry to consider what the impact will be  
21 of the pipeline that Arctic Gas wants to build to  
22 bring natural gas from Alaska and the Canadian Arctic  
23 to markets in the south.

24 I am holding hearings in every  
25 community in the Mackenzie Valley, the Mackenzie Delta,  
26 and the northern Yukon. I want to hear from the people  
27 of Old Crow, the native people who live here, the  
28 white people who live here, the old people and the  
29 young people.

30 I want to know what you think,





1 what you have to say about this pipeline that Arctic  
2 Gas wants to build. I have invited representatives of  
3 Arctic Gas here today so that they can listen to what  
4 you have to say. We have the C.B.C. here today also,  
5 so that people in the north and throughout Canada can  
6 listen to what you have to say.

7 Canada and the United States  
8 have a great appetite for oil and gas, that is why the  
9 Government of Canada is considering this gas pipeline,  
10 but before the government decides what to do, they want  
11 to know what you think about it, that is why they  
12 have sent me here.

13 I was here last month in Old  
14 Crow; on my way here, I travelled along the coast and  
15 then over the mountains, I saw the Porcupine River  
16 caribou herd on its way to the coast, on its way to the  
17 calving grounds. I saw the Old Crow Flats and I  
18 visited many of you at your camps when you were hunting  
19 muskrat there last month. When I visited the Flats, I  
20 saw more caribou, moose and thousands of birds. I  
21 have seen the land where you live and now I want to  
22 know what you have to say about what the pipeline will  
23 mean to you, to your family and to your lives.

24 I will ask your chief to  
25 speak first of all.

26 CHIEF JOHN JOE KAYE,  
27 Sworn:

28 THE INTERPRETER: First of all,  
29 I want to say this spring when you made the visit to  
30 the people in the Crow Flats, you seen how they make



1 their living. Because of that, I know you will listen  
2 to the people because you have seen how they make their  
3 living already.

4 You have seen many, many lakes  
5 in the Crow Flat, big lakes and all lakes, people use  
6 them all. Our grandfathers, ancestors, have brought  
7 us up in that area. When people trap in that area they  
8 get all kinds of fur, rats, mink, fox. Not only in  
9 that Crow Flat where the lakes are, but wherever people  
10 go out to do their hunting and trapping in the Yukon  
11 Territory around Old Crow.

12 You have seen many creeks in  
13 this area, in your travel, there is lots of fish in  
14 them creeks. The fish run out of them creeks and we  
15 generally catch them when we are here. When the cari-  
16 bou are around, people go out and hunt them any place  
17 around Old Crow, nearby Old Crow, and also go hunt  
18 moose we go up the Porcupine River to hunt the moose.

19 Since I was young or born, I  
20 was raised in this part of this country by my dad,  
21 Big Joe. Many years ago around in 1930's, the people  
22 used to go out, hunt caribou and trap marten. And  
23 around the 1st part of November when it's open season  
24 for trapping, they go out and stay out until Christmas.  
25 They gather -- they come in here into this Old Crow  
26 settlement during Christmas and have their little holi-  
27 days and then they would go out again.

28 And after New Year when they  
29 do go out again, they generally take their families  
30 with them to go out hunt caribou and to make dry meat.



1 Then they would come into town during Easter again.

2 After Easter season is over, they would move out to  
3 the Crow Flat to hunt rats. Most of them they stay  
4 out in the area, rat area, until close season which  
5 is about the 15th of June, and then they would -- some  
6 of them would stay back in the lakes and they would go  
7 down to the river by dog packs.

8 They would make their boats  
9 and that's how they come down to the settlement here.  
10 And then they would stay in the settlement here during  
11 the summer and in August, generally in August when the  
12 caribou would show up on the mountains here. When the  
13 caribou show up on the mountains here, they would go  
14 out and hunt and make dry meat and the reason -- it's  
15 for that reason that we don't want the pipeline nearby.  
16 There are also good country bears up on this mountain,  
17 and if the pipeline happened to be near around these  
18 country or this mountain up here, and if something  
19 happened to the pipeline, then a lot of our country  
20 will be destroyed.

21 The reason we mention these  
22 is because we wait for our young generation. If  
23 something happened to the pipeline, it will not only  
24 destroy the land, but also the rivers and lakes.  
25 There are many countries at this Porcupine that we  
26 use to make our living out of it, especially like for  
27 beavers that we have up the river.

28 That's all I would like to  
29 say now, but later on I would say some more.

30 THE COMMISSIONER: Thank you





1 very much, Chief.

2 (WITNESS ASIDE)

3  
4 PETER NUKON, Sworn:

5  
6 THE COMMISSIONER: Yes, you  
7 can translate your own statement, if you wish, or have  
8 the interpreter do it, whatever.

9 THE WITNESS: First of all, I  
10 would like to say that we are glad to welcome you here.  
11 My name is Peter Nukon.

12 Judge Berger, I want to tell  
13 you that my people thank you for coming to Old Crow  
14 to listen to us. I hope you will know when you are in  
15 Old Crow how strong we feel about our land. I am  
16 going to talk to you about one problem that pipeline  
17 will bring to Old Crow, that is the problem of forest  
18 fires.

19 Wood is very important to the  
20 people of Old Crow. They use wood to build our houses.  
21 Last winter we cut more than 800 logs. We are now  
22 building two houses, two garage and one workshop. With  
23 the logs we cut last winter, this made jobs for us  
24 last winter when we cut the logs and also this summer  
25 with the building. The people of Old Crow use wood to  
26 heat our homes, and heat our school.

27 Last winter our people cut  
28 600 cords of fire wood for the old people and the school.  
29 This made jobs for many of our people. On top of that,  
30 we all cut our own fire wood. As you can see when you





1 flew in your plane to Old Crow, much of our land has  
2 no trees on it. The trees grow along the rivers and  
3 around the lakes. We know that it takes a tree many  
4 years to grow in this country, some people say sometimes  
5 it's 200 years. So I hope you understand, Judge Berger,  
6 that the Old Crow people consider our trees to be very  
7 valuable.

8 We were happy when the Forest  
9 Branch of the Indian Affairs put a man in Old Crow to  
10 help us. This man would be able to report any fires  
11 to Whitehorse quickly so the fire could be put out  
12 before it could become too big and burn too many of our  
13 trees.

14 On Tuesday, we were told by  
15 a pilot that there was a small forest fire at Fish  
16 Lake. It took the forestry -- he took the forestry  
17 man out to see it. When he came back he reported it  
18 to Whitehorse. He was told there was no money in the  
19 this year's budget to fight this fire because that land  
20 was priority 4. We would like to know who decided  
21 this Fish Lake was priority 4; the people of Old Crow  
22 say that all of our trees are priority 1.

23 We called the Assistant  
24 Commissioner in Whitehorse. He said they would fight  
25 the fire. Then when we called him again he did not  
26 say they would fight the fire. We don't understand  
27 why forestry put a man in Old Crow if they are not going  
28 to fight the fires. They tell us that the forestry  
29 building that Indian Affairs built in Old Crow cost  
30 60 or \$70,000.00. We wonder why. The forestry man is



1 our friend but now he is ashamed because his Department  
2 will do nothing. This is not right.

3 Judge Berger, we want Arctic  
4 Gas to stand up and tell us who is going to put out the  
5 forest fires, the fires that will start if the pipeline  
6 breaks. We do not want them to tell us that the pipe-  
7 line won't break. We have lived here long enough to  
8 see many things go wrong with white men's projects.  
9 We know it will break some day, somehow. We are told  
10 that when the pipeline breaks, a fire may start; now  
11 who is going to fight it? Is Arctic Gas going to call  
12 our forestry man so he can report it to Whitehorse, and  
13 then he is told it is priority 4, so there is no money.  
14 Is Arctic Gas going to have their own forest fire  
15 department? Are they going to patrol the pipeline to  
16 look for fires when they start? Does Arctic Gas own a  
17 fire bomber? These are just some of the questions I  
18 have about the pipeline. That is all I have to say for now.

19 THE COMMISSIONER: Thank you.  
20 Do you want them to answer those questions now or  
21 later on?

22 THE WITNESS: Later on, sir.

23 THE COMMISSIONER: Okay.

24 I would like that statement to be marked as an Exhibit  
25 to form part of the permanent record of the Inquiry.

26  
27 (STATEMENT OF PETER NUKON MARKED AS  
28 EXHIBIT C-62)  
29

30 THE COMMISSIONER: Thank you



1 very much, Mr. Nukon.

3 (WITNESS ASIDE)

5 LAZARUS CHARLIE, Sworn:

7 THE WITNESS: My name is  
8 Lazarus Charlie.

9 THE INTERPRETER: My name is  
10 Lazarus Charlie. Judge Berger, I am glad you have  
11 come to our village to listen to us. We are the people  
12 of Old Crow and I remember many things that have  
13 happened during my life here in Old Crow, and that is  
14 what I want to tell you about.

15 This land that we are living  
16 on, our ancestors have lived on it, same as we are  
17 living on it and growing on it today. When I was young,  
18 I remember well that many people used to live away up  
19 the Porcupine. My uncles, who have lived up in that  
20 area at that time, they all done very good trapping in  
21 that country. The people that were living here in  
22 Old Crow also went out into the Crow Flats, amongst the  
23 lakes, and done their fur trapping.

24 I remember places where the  
25 people made their living at that time. They didn't  
26 have very much a lot of times. They go out to hunt,  
27 but there's nothing to get and many times people didn't  
28 have too much to work on.

29 Now later on in the year when  
30 it warms up and time to go out hunting rats, that's the





1 time that everybody go out into the Crow Flats, among  
2 the lakes to hunt rats. Now this spring, Mr. Berger,  
3 when you was out amongst the rat lakes or the  
4 Crow Flat, you seen how the people make their living by  
5 hunting. Everybody that was up there and seen you, Mr.  
6 Berger, they were very happy that you made that visit  
7 to their camps.

8 When we go towards the Crow  
9 Flats to hunt rats, we have a road that is going  
10 over the mountain here, and that is where I hear that  
11 the pipeline is going to come through, which we don't  
12 like.

13 Now, not too far up, they  
14 call it the Little Flats, I suppose you seen it today,  
15 Mr. Berger, as we were coming down just above the  
16 Crow River, there is a bunch of lakes there which they  
17 call the Little Flats. He said, I understand that  
18 is where the pipeline is going to run up near them  
19 lakes and from them lakes, there are creeks running out  
20 which have fish running out of them creeks.

21 He says if the pipeline, if  
22 the proposed pipeline would go up in that area, and  
23 if something happened to that pipeline, it breaks,  
24 then all that land in there, the land and the lakes and  
25 the creeks will be all destroyed. And he says sometime  
26 fire do break out in that area, and it happened to be  
27 that a fire broke out on the pipeline again it will not  
28 be safe for the land.

29 We use this land very much,  
30 it's a land where we have been born and brought up.



1 Now because we like our land, we don't want the lakes  
2 and the creeks and the rivers to be spoiled, and  
3 especially our caribou and be destroyed especially by  
4 fire.

5 Judge Berger, this is all I  
6 would like to say to you.

7 THE COMMISSIONER: Thank you,  
8 very much, Mr. Charlie.

9  
10 (WITNESS ASIDE)

11  
12  
13  
14  
15  
16 JOHN ROSS TIZYA,.  
17 Sworn:

18 THE INTERPRETER: Judge  
19 Berger, me too, I would like to say a few words. Now  
20 you have come here to listen to us, to the problem that  
21 we bring before you. This land, our great grandfathers  
22 or ancestors have lived on it for many years, and now  
23 today we are living on it and we expect that our child-  
24 ren and their children will be living on this land.

25 Now, about the caribou. The  
26 caribou is our main food for this part of the country,  
27 and we know that the caribou migrate every year. It  
28 goes down to where they have their calves in the  
29 spring, and then during the winter they migrate up  
30



1 towards the timber line and it's a main thing that we  
2 live on in this part of the world, and if something  
3 happened with this pipeline, this proposed pipeline  
4 that they would have in this area, if anything happened  
5 to that pipeline, it would destroy many places where  
6 this caribou migrates each year.

7 We have been living on this  
8 land for a long time, especially depending on the  
9 caribou, and we still depend on the caribou today, not  
10 only for ourselves, but for our children, and we use  
11 it very much. In the spring when we go up into the  
12 Crow Flat, we still depend on it, we get the meat and  
13 we dry the meat, to use it whenever we are in need of  
14 the meat.

15 Another thing which we use  
16 very much in this part of our country is fish. Now,  
17 we hear a lot again about this pipeline, we understand  
18 that it's going to cross rivers. Now, the river here  
19 in many places are shallow and if it wasn't put right  
20 the way it should be, it might break, and if it does  
21 break, it will destroy a lot of our fish.

22 Now, many years ago, like  
23 for the first white people that came into our country,  
24 especially the trappers, in those days, us Natives didn't  
25 know very much about poison, but these white people  
26 did and they used poison, which destroyed part of our  
27 country where we are living now.

28 Many years after that the oil companies have come  
29 into our country in this area, and they have been  
30 spoiling a lot of our land in which we live now.



1 Now, the proposed pipeline,  
2 they come into our country and we know that it will  
3 destroy this land where we live now, and that is  
4 the reason why nobody is in favour of it. For myself,  
5 I am not in favour of the pipeline. We know that it  
6 will destroy a lot of our country on which we live now.  
7 It would even make it hard for us to get our meat which  
8 we live on.

9 This is all I have to say to  
10 you now, Judge Berger, because there is so many people  
11 that would like to speak also.

12 THE COMMISSIONER: Thank you,  
13 Mr. Tizya .

14  
15 (WITNESS ASIDE)  
16

17 STEPHEN FROST, Sworn:  
18

19 THE WITNESS: Judge Berger,  
20 ladies and gentlemen, my name is Stephen Frost. I want  
21 to start off by saying that I have an awful lot of  
22 feeling about this land that I was brought up on.

23 THE INTERPRETER: This is  
24 Steven Frost, Mr. Judge Berger, and ladies and gentle-  
25 men.

26 THE WITNESS: I am not going  
27 to say very much to start off, maybe later on I'll say  
28 more, but we do understand that the United States and  
29 Canada have a strong appetite for gas. Myself I am  
30 just not too sure, I think about a lot of things. I





1 think in terms of jobs but Mr. Berger, I'm sure that  
2 it would be very sad for us to see our nice, green  
3 country destroyed and we think a lot of it.

4 I know very little about what  
5 a pipeline will do, except from what I've heard from  
6 different people and seen a little bit of it. Old Crow  
7 is one of the very few last places that -- I don't  
8 know the word for it, sort of unspoiled and in terms of  
9 money, like jobs, well I think there will always be  
10 jobs we have. We have always made out and we make a  
11 nice living. Most of us -- most of us have a lack of  
12 education and sometimes that's not everything, but we  
13 are really afraid to see the long effect after the pipe-  
14 line is built, there is no more jobs, but the pipeline  
15 is still there and everything else is spoiled.

16 What I mean by spoiled is we  
17 can't hardly -- could see so many people coming into  
18 this small community here if this pipeline is going to  
19 go, we think there might be two routes that they would  
20 like to put it, we are not sure, but we are fighting  
21 for them not to put it near Old Crow because it's so  
22 close to Old Crow, I know where it's going to go, it's  
23 about probably not more than eight air miles from Old  
24 Crow --

25 THE COMMISSIONER: North of  
26 Old Crow .

27 THE WITNESS: -- north of Old  
28 Crow and there will be no more Old Crow as it is now.  
29 The other route, I think, goes up near -- gets north  
30 of here again near the coast, but again that's a breeding



1 ground for caribou and whatnot. A lot of us think that  
2 when they built the Alaska Highway, they did a lot of  
3 damages there and I don't want to be asked what kind  
4 of damages, because I'm not good at answering questions,  
5 but since the Alaska Highway is already there, why  
6 can't they put it there?

7 THE COMMISSIONER: Excuse me,  
8 Mr. Frost. You're saying why can't they take the pipe-  
9 line from Prudhoe Bay south to Fairbanks and then  
10 along the Alaska Highway to southern Canada and the  
11 United States?

12 THE WITNESS: Yes, I couldn't  
13 quite explain it like that, but that's what I meant.  
14 Now, I should say that I don't know what the people  
15 think about it on that side, but --

16 THE COMMISSIONER: Well we  
17 are going to -- I am going to hold a hearing in White-  
18 horse on August 11th. We'll start August 11th and  
19 we'll hear what the people there think of bringing  
20 the pipeline south to Fairbanks and then along the  
21 Alaska Highway to southern Canada and the United States.  
22 But I'm certainly interested in hearing your views on  
23 it too.

24 THE WITNESS: I Pretty near  
25 ran out of something to say now, so I think I will let  
26 somebody else talk and maybe I'll talk again.

27 THE COMMISSIONER: Fine,  
28 thank you, Mr. Frost.

29  
30 (WITNESS ASIDE)



1 PETER LORD, Sworn:

2  
3 THE WITNESS: I would like to  
4 say first to Judge Berger to come up to Old Crow to  
5 listen to us and I would like to thank everybody to  
6 give me an opportunity to say a few words.

7  
8 I am sorry I didn't mention  
9 my name there, my name is Peter Lord, born in Old Crow,  
10 brought up in Old Crow.

11 First, number one, I would  
12 like to say a few words about the country that we live  
13 on. It's north of Old Crow, and this is in the Crow  
14 Flat area. The reason why Old Crow people have so many  
15 concerns about Crow Flats, the Crow Flats is the  
16 migrating ground for caribou, and also it's a breeding  
17 ground for moose in summer, moose goes into Crow Flat  
18 in summer to breed up.

19 And also we use it for muskrat,  
20 it is a good breeding ground for muskrat, and it's a  
21 good breeding ground for fur bearing animals such as  
22 fox, lynx, mink and sometimes marten, wolverine.  
23 They say that it's many streams, such as those little  
24 tributaries that run through the lake, all carry fish, and  
25 it's a very good spawning place for fish in the summer.  
26 All fish goes up Crow <sup>River</sup> and into the little creeks and  
27 up to the little lakes.

28 This is the reason why the  
29 people talk so much about Crow Flats is that it's so  
30 close to the town, they can always load up their





1 toboggan, dog team and move right into Crow Flats. If  
2 the caribou is there and they are going to trap up  
3 there, it's only a day from here with a dog team and  
4 then they could start going in different direction in  
5 Crow Flats where they could trap and have their own  
6 trap line from the other people.

7 Well, this is as much as I  
8 will say about Crow Flat and other parts, we put it as  
9 number two, it is up the Porcupine River from here to  
10 -- probably to Whitestone Village, this is mainly for  
11 timber. It is good timber, that's the only place we  
12 get timber up river now, we are pretty well cleaned  
13 out for timber surrounding the Old Crow area here, and  
14 they use it for building, probably it is not only for  
15 20 years but beyond that. The children that's going  
16 to live for the future with a right to protect this  
17 country also for timber, and also it's a good breeding  
18 ground for animals such as marten, lynx and wolverine,  
19 and it's moose country, that's where most of the moose  
20 stay in the winter time.

21 We use all this land, every-  
22 body use it and whatever is in it, the Old Crow people  
23 needs what's in this land, and supposing if the pipe-  
24 line goes through here, near Old Crow, that's going to  
25 bring a lot of jobs to some people. There probably  
26 won't be very many Old Crow people get jobs on this,  
27 but the money will be in Old Crow, some of that money  
28 will be spent in Old Crow and it is going to bring  
29 quite a bit of money in Old Crow.

30 Right now today, the way the



1 people live right now, they don't make too much money,  
2 it's very few who have jobs to make money and other  
3 people have part time jobs, maybe a couple of jobs at  
4 a time like that and the rest is all trapping, hunting  
5 and fishing.

6 I do think that the people  
7 are still happy the way they live right now. And per-  
8 haps if the money they are spending in Old Crow during  
9 as long as the job lasts on this pipeline project,  
10 the people will be happy too, making money and spending  
11 it, but after that is gone, the people will be gone,  
12 and the people who made the big money will probably go  
13 back down south and say good-bye to Old Crow, that's  
14 all the money they would take to the good country when  
15 they made it and said good-bye to their good friends.

16 I do think that after all  
17 the job is done, supposing the pipeline goes through  
18 here, all the jobs will be done and there will be  
19 nothing left. That made the people happy but after  
20 there is nothing left, there is very few Old Crow  
21 people who is going to stay, because there are sad  
22 things that will come to Old Crow.

23 Perhaps the young people,  
24 after they have seen all this activities near Old Crow,  
25 and then nothing left behind, and this place with what  
26 few people are living there now, would be just like a  
27 ghost town to them and they would feel very sad.  
28 They are going to have to leave, where there is more  
29 activities going on, going into cities.

30 We have a school here in Old



1 Crow, after they get through Grade 8, then the children  
2 go to Whitehorse. They will probably go up to Grade 9  
3 and Grade 10, after they go through that, some of them  
4 go through Vocational School, but still they know they  
5 have got a good country up here, the parents are here,  
6 and most of them come back to their home.

7 Now, the reason why I said  
8 the kids are coming back to Old Crow is because they  
9 know they could make their living out of the land here.  
10 Now, when the young boy come back from school from  
11 Whitehorse, he's in Grade 10, but he quit school  
12 because he likes to come home, he feels sad about his  
13 home, but the country is still here and home, and he  
14 knows that he could take a boat, set of fish net  
15 go three or four miles out of town, he's sure he's  
16 going to get something to eat.

17 When the caribou come, he  
18 could take a boat upriver and kill a few caribou, all  
19 he needed is a pot to boil the meat and a frying pan,  
20 that's all he needs, and he can -- they don't go  
21 hungry.

22 This is the reason why we  
23 would like to keep our country like this, without so  
24 many people coming to the country and starting pipe-  
25 lines and bringing good things into the village and  
26 then leave everything bad, nothing left for the rest  
27 of the people in Old Crow. And I do think the native  
28 people in Old Crow are very happy the way they are,  
29 the way they are living right now.

30 And I would like to say we





1 don't like to cut our friends' throat way down south  
2 and make them sad, we don't make them happy because we  
3 don't like the pipeline near Old Crow, the cheapest  
4 way they could build their pipeline. We don't want to  
5 have people have hard feelings against us because we  
6 only have the right to protect ourselves and our  
7 children in this country.

8 I would like to bring up to  
9 Judge Berger that we had a three year project here,  
10 Renewable Resources was up herestudying the  
11 caribou and we know how the caribou reacted, all  
12 this period of three years, they didn't stay a whole  
13 year's time but they stayed here from the 1st of March  
14 until the last part of October. And we know the cari-  
15 bou have done a lot of travelling, they run all summer  
16 long, they travel until late in December, the caribou  
17 settle somewhere else. The caribou didn't stay near  
18 Old Crow.

19 The reason why I bring this  
20 up is that we know we already had effect with the  
21 caribou when there was too much traffic for the animals  
22 and start chasing them all over the country.

23 Now I suppose there's a pipe-  
24 line and there's a lot of people up here in this area  
25 here, probably they are going to disturb some animals  
26 such as caribou, moose, because these animals that  
27 live in this country never heard much of this kind of  
28 noise and it is probably going to disturb the animals  
29 and start leaving the country.

30 The last word I would say, the





1 people in Old Crow are very few and most of them are  
2 closely related together and when a few white people  
3 come in they are very friendly with the people, but  
4 supposing 2 or 3,000 or 10,000 people start to mix up  
5 around here, then nobody is going to care for each  
6 other, sister or brother, cousin or not, big traffic  
7 and a lot of people, crowded, people who don't care too  
8 much for each other. All this is going to happen.

9 Again I say thank you to  
10 -- for Judge Berger to come up and listen to Old Crow  
11 people and myself and thanks very much for giving me  
12 the opportunity to make a speech this long.

13 Thank you.

14 THE COMMISSIONER: Thank you,  
15 Mr. Lord.

16  
17 (WITNESS ASIDE)

18  
19 THE COMMISSIONER: I think we  
20 are about half-way through the afternoon, so maybe we  
21 will just take 5 or 10 minute break and just get a  
22 little fresh air for a few minutes.

23  
24 (PROCEEDINGS ADJOURNED)  
25  
26  
27  
28  
29  
30



1  
2 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)  
3

4 THE COMMISSIONER: Ladies and  
5 gentlemen, I think we will call our meeting to order  
6 and those of you who wish to say something will have  
7 that opportunity this afternoon.

8 I thought that what we would  
9 do is we'll just carry on now until 5 o'clock, and at  
10 5 o'clock we will stop for supper and then we will  
11 come back at 8 o'clock tonight and hold the hearing  
12 tonight for as late as you want me to remain, and then  
13 we will start again tomorrow afternoon at 1 o'clock  
14 and go til 5 tomorrow afternoon and then come back at  
15 eight o'clock tomorrow night and go along tomorrow  
16 night until we have to go to bed.

17 So, we'll just carry on now  
18 then til about 5, if that's all right.

19 Would you swear this witness,  
20 please?  
21

22 CHARLIE PETER CHARLIE, Sworn:  
23

24 THE WITNESS: Judge Berger,  
25 I would like to say a few words of what both women and  
26 men are saying, I would like to put in a little piece  
27 at the same time.

28 THE INTERPRETER: Judge  
29 Berger, everybody is talking about the land, our land  
30 on which we live for many years. We know that this



1 land which we are living on now, it's because we worry  
2 about what's going to become of it, because of the pro-  
3 ject that's coming on it, and we don't want our good  
4 land to be destroyed.

5 Now, as we are talking about  
6 this land, our land, we are very happy to live on it,  
7 same as our ancestors did many years in the past. They  
8 were happy to be born and raised in this land, and how  
9 they made their living out of this land. We want same  
10 way with the land that we live on today.

11 Now, not only for ourself,  
12 but for our younger generation in years to come. Now,  
13 for many years, as we live on this, our land, nobody  
14 have come around too much, and nobody have told us  
15 how we should make our living out of the land that we  
16 are living on.

17 We have been born and raised  
18 on this land and have learned to make our living out  
19 of this land. We live to be a very happy people, we  
20 were not told how to be happy, the way we should make  
21 our living. For many years, as we have lived on this  
22 land, as we say we are happy. Now today through the  
23 many changes that is coming upon us now, we see lots  
24 of good things and we get these good things, and no  
25 matter how good we look / <sup>after</sup> these good things that we  
26 get now-a-days, it spoil on us very fast, or break  
27 down on us.

28 Now, this land that we live  
29 on, as far back as I remember, it's still always the  
30 same. Now, through the changes of the project that is





1 coming into this land, we don't want it to  
2 be broken down by what is coming into this, our good  
3 land.

4 Our younger generation, it  
5 will be in the time of our younger generation, when  
6 this proposed pipeline would be coming through and  
7 then things would be very hard to get. I suppose the  
8 young generation will say this was one time a good  
9 land for our fathers, now it's not the same as what it  
10 used to be in the past.

11 Now, today because of this  
12 proposed pipeline coming through our country, we worry  
13 about what will happen to our younger generation, and  
14 that is the reason why I don't want the pipeline.

15 Now, many years ago in the  
16 old days as we call it now, everybody in this, that  
17 lived on this land were all happy people. They share  
18 with one another, they had no grudge against one  
19 another, but now-a-days through the changes that have  
20 come upon us now, we see it very different. Now we  
21 don't like to see everything worse to come into our  
22 good land.

23 Many years ago again, and for  
24 many years now, ever since the white people have come  
25 amongst us, they make rules for us to live by, and  
26 through these rules if we go by the rules that they  
27 give to us, they made lots of promises through these  
28 rules that they make for us to live by. Now, in the  
29 early days when they done that with us, we didn't  
30 understand too well. All we understood was to say "yes",



1 and it's too often that we have said yes on this  
2 matter.

3 Now, as we are getting older,  
4 we think of all that has happened in the past and also  
5 for the years to come. Now we hear about this pipe-  
6 line, this proposed pipeline coming into our land, we  
7 don't like it but still we don't say too much about it,  
8 but we all are thinking about what would happen.

9 You see this Crow Mountain  
10 just back of the town here, Judge Berger, what used to  
11 be a hunting place for the people here, and to find  
12 out ~~what~~ I mean is to go up there and you will see all  
13 the antlers what is left behind, it is just white with  
14 them up on that mountain, the horns. Well, we under-  
15 stand that the pipeline is going to be only eight miles  
16 from here, so if it does come through that distance,  
17 the caribou will not be seen again as they did in the  
18 past around this mountain here.

19 People used to move up there  
20 when the caribou come, to make dry meat, to make good  
21 food, the food that they love, and also it's a great  
22 place to get wild berries, which also, they love very  
23 much. The place that I'm telling you about on this  
24 mountain that you see from here is not the only place;  
25 all the way up the Porcupine, there are many hunting  
26 places that the people have been for many years, and  
27 that is where this proposed pipeline is going to be,  
28 according to what we see on the map.

29 Now, the people are worried  
30 about that, because it's going through their hunting



1 ground and they are not going to be hunting if the pipe-  
2 line goes through their hunting grounds.

3 Now, today we have schools and  
4 we have our young children, young people go to school,  
5 but whatever they try to sell to the school during holi-  
6 days, we are trying to bring them up to where we know  
7 that our parents have taught us to make our living,  
8 the way that they were also taught to make their living  
9 off the land.

10 There are many times when we  
11 take our young people out to show them how we hunt and  
12 how we make our living out of the land. They are very  
13 interested and they ask many questions of how we have  
14 made our living out of the land that we live in. This  
15 is the reason why that we want to talk very strongly  
16 about our land, what is going to become of our land.

17 When an Indian don't like  
18 what he hears is going to happen to his land, he talks  
19 a lot, he likes to be understood what he is talking  
20 about, of the land that he loves very much.

21 Now, this Crow Flat where we  
22 hunt our rats, it's a very good place. It's an easy  
23 place to make a living, even if you don't know how to  
24 hunt. If you are put there on the Crow Flats, all you  
25 have to do is set your traps and put it on the flat  
26 or on the grassy spot around the lake edge, and you  
27 will catch rats, and that is how easy it is for a child,  
28 even a child that has no one to teach them how to make  
29 a living out of the land.

30 That is the reason why the Old





1 Crow people talk a lot about that Crow Flat. I started  
2 trapping with my father on the Crow Flat ever since I  
3 was eight years old. In those days, my dad used to  
4 live way up the Porcupine, up around Johnson Creek,  
5 that's where we used to live. In those early days when  
6 I was just a young kid, my parents, my dad and his two  
7 brothers and their father, they used to live way up in  
8 Johnson Creek and that's where they done their fine  
9 fur trapping, and also hunted moose. And since I was  
10 eight years old, I learned by my dad how to make a  
11 living out of the country and I have done that all  
12 my life until just a few years when I got a job here  
13 in the school.

14 And for that reason, I know  
15 very well how to go about knowing what a person would  
16 need to make his living off the land. I have a big  
17 family, and a lot of them are grown up now and are  
18 beginning to understand about how to make their living,  
19 but still I worry about the years to come, how they  
20 would make their living off the land.

21 Now today we hear a lot of  
22 this proposed pipeline coming through our land here.  
23 Now because of the way we talk about it, this will make  
24 us happy in the years to come, when our children are  
25 all grown up. So that is the reason why today we are  
26 all trying to talk as much as we can about this proposed  
27 pipeline, because we want everything to be in favour  
28 to turn out good for our children in years to come.

29 There is another thing too  
30 about this pipeline; if after it was put there, and





1 it happened that we have an earthquake, this will damage  
2 the pipeline, and by the pipeline getting damaged, it  
3 will affect a lot of the good land. What will happen  
4 then? This is what we are trying to let you know,  
5 Judge Berger, that if anything happened to this pipe-  
6 line, that is what worry us now-a-days, and so that is  
7 why we are trying to tell you what may happen to this  
8 proposed pipeline.

9 Now, this is all I would like  
10 to say to you at this time, but I may want to say some  
11 more to you again.

12 MR. VEALE: I have got some  
13 questions, Charlie Peter. If the pipeline were built  
14 in Old Crow, there would be a camp of men near Old Crow.  
15 What do you have to tell the judge about that?

16 THE INTERPRETER: Charlie  
17 Peter Charlie said that he didn't feel that it would  
18 be very good, because like our young people today,  
19 that the people here, the parents are trying to train  
20 them the right way, that if a camp come near or a camp  
21 near to this village, it may cause a lot of problems  
22 to what these people here are trying to train their  
23 young people.

24 MR. VEALE: Well Charlie  
25 Peter, maybe you could tell what kind of problems.

26 THE INTERPRETER: He said the  
27 main problem would be alcoholic, alcohol. Today they  
28 get only one plane once in a while and still they get  
29 lots of alcohol coming into the Territory, or the area.  
30 Young people are that close with this pipeline, they



1 -- there will be roads coming into, along the pipeline,  
2 and this will make lots of traffic and it will bring  
3 lots of people and it would also bring a lot of alcohol  
4 which would be given to the young people, both boys  
5 and girls, and this would cause a lot of problems for  
6 many families.

7 MR. VEALE: Charlie Peter, I  
8 would like to ask if you remember when the winter road  
9 came through Klo-Kut , maybe you could tell the judge  
10 about that?

11 THE COMMISSIONER: Maybe some-  
12 one could point out Klo-Kut for my benefit, before we go  
13 any further.

14 MR. VEALE: Now, Charlie  
15 Peter, do you remember when the winter road came through  
16 Klo-Kut and if you could tell the judge about it.

17 THE INTERPRETER: He says when  
18 the road came through a few years back, this-- through  
19 this Klocut, he says they hit the river not too far up  
20 here, where the animals were on the river and that  
21 is where they came and hit the Porcupine, and from  
22 there, the foreman came down here and visited them in  
23 the school here in the furnace room, and that's  
24 where they mentioned about just where they hit the  
25 river and also where this old camp was many years ago.

26 They hit the Porcupine, it was  
27 a stopping place for many people many years ago, because  
28 it's a place where the caribou migrate across the river,  
29 and that's where they used to hunt caribou by -- mostly  
30 by spearing them or shooting them with a bow and arrow,



1 and so it's not just few families that have lived  
2 there, but many families, and it used to be a great  
3 stopping place for the people of this north land.

4 He says that is where they  
5 hid the river and so they said that is where they  
6 would cross the river. The people here didn't want  
7 that old stopping place to be disturbed so they told  
8 them that further down the river would be a good place  
9 to cross because it's not deep water, but still they  
10 didn't listen and they went and crossed that river  
11 where that old stopping place was.

12 He says there are many people  
13 working there now, they are digging up things that the  
14 people lived with many years, many years ago, by losing  
15 it or forgetting it and that is what they are working  
16 on right now. They got several people working up there,

17 Now, by finding what they are  
18 working with now, they know how long ago that these  
19 people have lived there. The foreman in that camp,  
20 the people here wants him to be here so he could give  
21 or help out in the date how long that this stuff has  
22 been in that ground.

23 MR. VEALE: He will be  
24 coming. Charlie Peter, you might also tell the judge  
25 about Caribou Lookout and Caribou.

26 THE INTERPRETER: Further up  
27 the river, where they call the Caribou Lookout, where  
28 they watch for caribou. Now, this is during -- after  
29 break-up, spring time that these people do that. Now,  
30 this was done by people many years ago, but today he





1 says we are still doing that, but today we go up by  
 2 scow and kicker , we go up there and hunt caribou  
 3 the same way the people did, but I don't believe it's  
 4 not the sameway, because Peter, I think he use rifle.  
 5 In the old days he used to spear them, but they still  
 6 do, that's what the old people done with spears, they  
 7 go and hunt meat to put up for the spring, spring time.

8 MR. VEALE: Charlie Peter,  
 9 maybe you could tell the judge about this map  
 10 that is behind him, about the people who made it.

11 THE INTERPRETER: Now this  
 12 map here that you see was made by a person named  
 13 Bob Sharpe. John Stager and Bob Sharpe, which were  
 14 working with the people around this part of the  
 15 country. There was four of us, there was Neil and  
 16 Charlie and Peter Charlie and Peter Lord here that were  
 17 asked to help to make this map.

18 He said we a lot of  
 19 work to make this map here, what you see. Now, the  
 20 map is made across to Rampart where the Alaskaline  
 21 is and all the way up the Porcupine. Now, we also put  
 22 the names on the map of what the places were called.  
 23 Many different names and many different places. You  
 24 will find out by the numbers that we have on the names,  
 25 and places on the map and it took a lot of work to make  
 26 what you see here.

27 The four of us that make this  
 28 map, there were some younger -- he mentioned three  
 29 more names, went over this map and wrote down -- had to  
 30 write down all the names that you see here on the side,



1 and probably the numbers too, that is on the map.

2 Before your visit, Judge  
3 Berger, but as we were preparing for your visit, that  
4 map was mentioned, to have a map up during your visit  
5 here, that this map was mentioned, which was made by  
6 the natives here, the people here, and so that's how  
7 that we got this map up to show you what we have done,  
8 and also to show you what we are talking about on the  
9 land.

10 Now, we are having it up now,  
11 but after this inquiry is over, we want to give you this  
12 map which was made by the people of Old Crow.

13 THE COMMISSIONER: Well that  
14 would be very useful to me and to the Inquiry to have  
15 this map. I notice that -- can I ask a question?

16 I notice that all of the  
17 places that have been given names in the English lang-  
18 uage, have names already in the Loucheux language.  
19 There are quite a few places that have names in the  
20 Loucheux language, but no names in the English language.  
21 Is that because the people that prepare the official  
22 maps haven't yet chosen English names for those places?  
23 Do you know? I appreciate that it's --

24 THE INTERPRETER: The answer,  
25 he says there are a lot of places we know the name of  
26 the places, because it's our country and we know it  
27 from away back, so we know the name in our own language,  
28 but we don't exactly know the meaning of it in English.

29 THE COMMISSIONER: M'hmm.

30 THE INTERPRETER: So that is



1 the reason why we just put the name that we know, we  
2 don't put down the name if we don't know.

3 THE COMMISSIONER: Well, I  
4 understand; the point is that you gave names to all  
5 of the places, these lakes and rivers and hills and  
6 mountains because the people used them, have used that  
7 land and all of those places for many years, I under-  
8 stand that.

9 THE INTERPRETER: Yes.

10 MR. VEALE: Charlie Peter,  
11 you also sometimes go into the school and teach younger  
12 children. Could you tell the judge about that?

13 THE INTERPRETER: For the  
14 past four years I have been teaching the children here  
15 in the school, and mostly in their own language, and  
16 what I would teach them in their own language, I would  
17 write it on the blackboard and from there they would  
18 put it into their books of their own language.

19 And that is the way I have  
20 been teaching that. After they have put it in their  
21 book, only then I would go back and tell them what it  
22 means, the meaning of the language that I have put on  
23 the blackboard for them to put into their books.

24 And many times too, between  
25 that I tell them some of the very old time stories that  
26 I know of. Now, I notice from this last winter, when  
27 I start writing down on the blackboard of the words  
28 that I have been trying to teach them, I see -- I  
29 notice that they read them just as soon as they see it  
30 written on the blackboard.





1 I try and help them in many  
2 ways to learn and through my teaching them, I give them  
3 -- I ask them to ask questions, so in that way I would  
4 want them to ask me what they want to know, and they  
5 are willing to do this and ask questions about what  
6 they want to learn.

7 That's all.

8 THE COMMISSIONER: Thank you,  
9 Mr. Charlie.

10  
11 (WITNESS ASIDE)

12  
13 WILLIAM SMITH, Sworn

14  
15 THE COMMISSIONER: Would you  
16 like to sit down?

17 THE WITNESS: I prefer to  
18 stand up, if you don't mind, sir.

19 THE COMMISSIONER: I think it  
20 is about 4:30 and I understand Mr. Smith's presentation  
21 will take a little while, so I should say that I think  
22 Mr. Smith is the last person that I will hear this  
23 afternoon, but we will adjourn about 5 and we will come  
24 back here at 8 o'clock tonight and I'll hear others  
25 then, and of course tomorrow afternoon and tomorrow  
26 night as well.

27 And I have been asked to say  
28 that the Co-op will be open from 5 o'clock to 6 o'clock  
29 tonight, so that -- I guess that's good news, I don't  
30 know, I'm sure it must be.





PETER LORD, Sworn as  
Interpreter:

MR. SMITH: My name is  
William Smith, I am a resident of Old Crow. I appear,  
although I am married to Tabetha Kiakavitchik (?)  
Smith, I appear on this occasion on my own behalf, and  
I appear to put before the Commission information in  
the form of documents and my observations and conclusions  
based on these documents which touch upon the  
question of sovereignty, property and possession of  
the lands in which the applicant seeks to acquire  
interests.

It's my thought that this,  
these facts -- this information which I hope to lay  
before the Commission clearly will -- may take a place  
and have some value in the deliberations leading to  
the report they give to Mr. Buchanan.

I think the best point for me  
to start is with the debates and I will put this in  
evidence, Mr. Commissioner, debates of the House of  
Commons of the Dominion of Canada, fifth Session,  
Third Parliament, 41 Victoria 1878 Volume 5, Second  
Volume of the Session, and this has to do with the  
northerly boundaries of Canada, the northerly boundaries  
of Canada, and when I use the word "Canada" in this  
appearance, Mr. Commissioner, I use it in the strict  
sense, the sense in which it is presented in Section 4  
of the Act of 1867. Canada is Canada as constituted  
by the provisions of this Act.

So we are concerned here with



1 the northerly boundaries of Canada. Mr. Mills, who I  
2 presume at that time was the Secretary of State in  
3 Mr. McDonald's cabinet, presents to the Commons, four  
4 resolutions, and I will read these into the record, if  
5 I may. I have not a second copy of this document or I  
6 would lay it before you.

7 First, the first resolution,  
8 "The doubt exists regarding the northerly  
9 and northeasterly boundaries of the  
10 Northwest Territories and Rupert's  
11 Land transferred to Canada by order of  
12 Her Majesty in Council, 22nd June, 1970,  
13 incorporating the Territories of the  
14 Hudson's Bay Company and the Northwest  
15 Territories of Canada".

16 I make a slight interpolation here, a parenthetical  
17 insertion. I believe Mr. Mills was in error because  
18 the Statute, the British North America Act, 1867,  
19 Section 146 admits the Northwestern Territory and  
20 Rupert's Land and in the litigation which has been  
21 instituted, we will be insistent that the language of  
22 the Statute be used. This is a parenthetical inter-  
23 polation.

24 Resolution number 2,  
25 "That the discovery and working of  
26 minerals in the vicinity of Cumber-  
27 land Sound has recently been reported  
28 and other matters have been transpired  
29 which make it important that all doubt  
30 respecting the jurisdiction of Canada,



1 all of those parts of British North  
2 America, should be removed with as  
3 little delay as possible".

4 Resolution 3,

5 "That correspondence has taken place  
6 on the subject between the Government  
7 of Canada, the Government of the  
8 United Kingdom of Great Britain and  
9 Ireland which, through the Right  
10 Honourable Secretary of State for the  
11 colonies has intimated"...

12 intimated --

13 "...willingness to transfer to the  
14 Dominion of Canada all the territor-  
15 ies in question and has invited the  
16 expression of the views of the  
17 Government of Canada respecting the  
18 propriety of legislation for that  
19 purpose".

20 I stress here the words "has  
21 intimated willingness to transfer". The point that I  
22 am driving at, or the message which I desire to leave  
23 with the Commission is that the transfer has not  
24 transpired. In other words, the government has  
25 expressed a willingness to transfer something to the  
26 Dominion of Canada which, as of the Order-in-Council  
27 of 1870, had not been transferred to Canada.

28 The fourth resolution is,

29 "It is expedient that the right of  
30 Canada to all British North America





On the north, the boundaries shall be --



1               "-- so extended as to include the  
2               entire continent to the Arctic Ocean  
3               and all islands in the same. West-  
4               ward to 141 meridian west Greenwich,  
5               and on the northwest by the United  
6               States Territory of Alaska".

7                               I underscore in this resolut-  
8               ion the words "On the north, the boundaries shall be  
9               so extended as to include the entire continent of the  
10              Arctic Ocean", from wherever the boundary may have  
11              been in their minds, they want now to extend it  
12              further.

13               "That the Parliament of Canada on  
14               the transfer of the beforementioned  
15               territories being completed shall  
16               have the authority to legislate for  
17               their future welfare, good government  
18               and have the power to make all  
19               rules and regulations respecting  
20               them the same as in the case of  
21               other territories and in the Parlia-  
22               ment -- and the Parliament of  
23               Canada expresses its willingness  
24               to assume the duties and obligations  
25               consequent thereunto".

26                              In Resolution 6, I underscore  
27               the words, "On the transfer of the before-  
28               mentioned territories being completed". These are the  
29               resolutions and in his statement to the Parliament,  
30               Mr. Mills go on to say, and I will not read the whole



1 testimony but I will read certain portions which sus-  
2 tain the point I'm trying to make, that there is doubt  
3 and that certain territories of Her Majesty's British  
4 North American possessions, were not aggregated and  
5 admitted into and included in Canada by the Order-in-  
6 Council of 1870.

7 He would observe, Mr. Mills  
8 would observe that the boundaries of Canada on the  
9 northeast and northwest were not wholly defined. Again  
10 he says,

11 "The boundaries of the northwest  
12 were never very clearly known and  
13 the boundaries of Rupert's Land  
14 were only given in the Charter  
15 which conferred this country and  
16 the Hudson's Bay Company in the  
17 time of Charles the Second".

18 Mr. Mills goes on, he proposed  
19 by this resolution to take the necessary steps to have  
20 these territories which he delineated in his resolution,  
21 have these territories transferred to Canada and to  
22 remove all doubts with regard to our exact limits at  
23 the north and northwest.

24 The thrust again that I am  
25 making, the thrust here is that this is a proposal,  
26 there is an extent in the Canadian -- in the northwest  
27 of Her Majesty's British North American possessions  
28 which was not made a part of Canada, Canada by the  
29 Order-in-Council of 1870.

30 I proceed in this document





1 to the testimony of Sir John A. MacDonald. Sir John A.  
2 says -- he had read last night, the papers laid on the  
3 table. These are the documents relating to the corres-  
4 pondence referred to before between the Colonial Office  
5 and the Government of Canada.

6 THE COMMISSIONER: What year  
7 did Sir John make his statement that you are about to  
8 read, what year was that again?

9 THE WITNESS: This is May 3,  
10 1878.

11 THE COMMISSIONER: Was he then  
12 Prime Minister?

13 THE WITNESS: Prime Minister,  
14 Sir John A. was Prime Minister at that time.

15 He states in this document,  
16 he had read last night the papers laid on the table.  
17 He thought that the Ministry had acted with due discret-  
18 ion in laying them before the House in a semi-confidential  
19 way. The less publicity was given them, the better,  
20 because there were suggestions in them which might be  
21 used against us if they fell into unfriendly hands.  
22 Therefore, the government had acted prudently. The  
23 implication there is that -- the implication that I  
24 derive from this, from my observation here is that it  
25 might have been the common understanding that by the  
26 act -- the Order-in-Council of 1870, all of British  
27 North America beyond the Rupert's Land possession,  
28 the Hudson's Bay Company possession was included or  
29 admitted into the union, but in fact this may not have  
30 been so, and it is my opinion that this is why Sir John





1 A. MacDonald stated that, as you will see if you read  
2 this, -- these resolutions were presented to the Parlia-  
3 ment in the last day of the session, I think, and Mr.  
4 Mitchell of Ontario had been complaining that he hadn't  
5 had a chance to read the papers tabled, why the big  
6 rush. It appeared to him that we are sneaking it  
7 through, and I have just read Mr. MacDonald's response,  
8 and it is well to keep this matter privy.

9 In other words, if this terri-  
10 tory was not a part of Canada, we better get it attached  
11 before somebody finds out about it.

12 Now, I will present this in  
13 evidence.

14 THE COMMISSIONER: That will  
15 be marked as an Exhibit.

16  
17 (RESOLUTIONS MARKED AS EXHIBIT C-63)

18  
19 THE WITNESS: The Senate --  
20 this was transferred to the Senate. And the Senate was  
21 prepared to consider the address to Her Majesty for-  
22 warded to them by the House of Commons, and this is the  
23 address that they were concerned.

24 "Most gracious Sovereign, we your  
25 Majesty's most dutiful loyal sub-  
26 jects, the Parliament of Canada,  
27 the Commons and Senate of Canada  
28 in Parliament assembled, humbly  
29 beg leave to approach your Majesty  
30 for the purpose of representing:



1                   That doubts     exist   regarding  
2                   the northerly and northeasterly  
3                   boundaries of the Northwest Terri-  
4                   tories",

5       and I insert in parentheses here, In my estimation  
6       this is an inaccuracy, it should state as in the  
7       language of the Act, the Act of 1867, the Northwestern  
8       Territories.

9                   "The northerly and northeasterly  
10                  boundaries of the Northwest  
11                  Territories and Rupert's Land  
12                  transferred to Canada by your  
13                  Majesty and by order of Your  
14                  Majesty in Council of the 23rd  
15                  of June, 1870 incorporating the  
16                  territories of Hudson's Bay  
17                  Company and the Northwest Terri-  
18                  tories with Canada...."

19       I was disregarding that.

20                  " That it is expedient that the right  
21                  of Canada to all British North  
22                  America and the islands adjacent  
23                  thereto, (not including the  
24                  Province of Newfoundland,) should  
25                  be placed beyond       question, and  
26                  the offer of Your Majesty's  
27                  government to transfer the said  
28                  territories to Canada be accepted.

29                  That to avoid all doubt in the  
30                  matter, it is desirable that an



1                   the  
2           Act of/Parliament of the United  
3           Kingdom of Great Britain and Ireland  
4           should be passed, defining the north-  
5           easterly, northerly, northwesterly  
6           boundaries of Canadaas follows",  
7           and the territorial delineation is the same.

8                                 Now, the point,I would put  
9           this in evidence as well.

10                               (JOURNALS OF THE SENATE 1878, VOLUME  
11                               XII, MARKED AS EXHIBIT C-64)

12  
13                               THE WITNESS: I turn now, and  
14           I will present this in evidence, I have a copy of that  
15           if you wish to take it.

16  
17                               (COURT RECORDS, ISLE OF WIGHT, JULY 31,  
18                               1880, MARKED AS EXHIBIT C-65)

19  
20                               THE WITNESS: The address was  
21           accepted or approved or agreed to, the Motion present-  
22           ing the proposed address by the House of Commons to the  
23           Senate was agreed to by the Senate, and I turn now to  
24           what the result of the address was. And this is an  
25           Order-in-Council at the Court of Osborne House,Isle of  
26           Wight, the 31st day of July, 1880, present the Queen's  
27           Most Excellent Majesty, Court President, Lord Steward,  
28           Lord Chamberlain, and this is the text of the instrument:

29                               "WHEREAS it is expedient that all  
30           British Territories and possessions





1 in North America and the islands  
2 adjacent to such Territories and  
3 Possessions which are not already inclu-  
4 ded in the Dominion of Canada",  
5 and I halt once again parenthetically to stress the  
6 fact that there exists Territories, Possessions and  
7 islands which are not already included in the  
8 Dominion of Canada. This instrument, and I go on to  
9 say,

10 "These Territories and Possessions  
11 which are not already included  
12 in the Dominion of Canada should,  
13 (with the exception of the colony  
14 of Newfoundland and its dependencies,)  
15 be annexed to and form part of the  
16 said Dominion".

17 Of the said Dominion, I stress this.

18 I skip a paragraph and I go  
19 on to the -- I skip a paragraph in the instrument, Mr.  
20 Commissioner and I proceed to the effective section:

21 "AND WHEREAS Her Majesty is grac-  
22 iously pleased to accede to -- "

23 MR. COMMISSIONER: Excuse me,  
24 Mr. Smith. Everything that -- all the people who are  
25 speaking here today is taken down and of course that  
26 applies to you as well. Could you just go a bit slower when  
27 you are reading these documents so that the court  
28 reporter can get it down.

29 THE WITNESS: Yes.

30 "AND WHEREAS Her Majesty is



1           graciously pleased to accede to  
2           the desire expressed in and by the  
3           said address",

4       which has been presented in evidence, .

5           "   Now therefore it is hereby  
6           ordered and declared by Her Majesty  
7           by and with the advice of Her Most  
8           Honourable Privy Council as  
9           follows: From and after the 1st  
10          day of September, 1880, all  
11          British Territories and Possess-  
12          ions in North America, not already  
13          included within the Dominion of  
14          Canada,"and all adjacent islands  
15          thereto,"and all islands adjacent  
16          to any of such Territories or  
17          Possessions shall, (with the  
18          exception of the colony of New-  
19          foundland and its dependencies,)  
20          become and be annexed to and form  
21          part of the said Dominion of  
22          Canada and become and be subject  
23          to the laws for the time being  
24          enforced in the said Dominion  
25          insofar as such laws may be appli-  
26          cable thereto".

27                       Now, I have indicated in my  
28       opening remarks to you, Mr. Commissioner, that I am  
29       bringing forth material which I think bears on the  
30       sovereignty, the property and possession of these lands



1 through which the proposed pipeline will pass, and I  
2 bring to your attention, in view of the fact that the  
3 address desired from Her Majesty, an Act of Parliament,  
4 which would define specifically certain limits of  
5 Canada, Canada by the wording of the Act of 1867 is  
6 the union.

7 Now, I will turn to -- I will  
8 turn to the British North America Act of 1867, Section  
9 146.

10 "It shall be lawful..."  
11 and I won't read the whole thing, but I'll say it,

12 "It shall be lawful for Her Majesty  
13 to admit",  
14 and I am sorry, I have not got a copy of this.

15 THE COMMISSIONER: Carry on.

16 THE WITNESS:

17 "It shall be lawful for Her  
18 Majesty to admit into the union",  
19 "admit into the union", I stress the language. This  
20 is the language of the instrument.

21 "...Rupert's land and re north-  
22 western Territory".

23 Now, this language is restrictive; there's no, I  
24 can't find it in my mind to interpret this as being  
25 synonymous with the words,

26 "It shall be lawful for Her  
27 Majesty to admit into the union  
28 all the rest of British North  
29 America except the Provinces of  
30 Ontario, Quebec, Nova Scotia,



1 New Brunswick, British Columbia,  
2 Prince Edward Island and Newfound-  
3 land".

4 This is restrictive, Her  
5 Majesty in this instrument, the Act of 1867, is per-  
6 mitted by Parliament, authorized by Parliament  
7 to admit into the Union, the Northwestern Territory  
8 and that must be envisaged as an entity, "the North-  
9 western Territories". The language doesn't say anything  
10 north of the Hudson's Bay Territory, Rupert's Land,  
11 it doesn't say that, it specifies the Northwestern  
12 Territory and Rupert's Land may be admitted on the  
13 address and all the rest of it.

14 Now, in contra-distinction,  
15 and to indicate and prove the fact that there is  
16 extent in British North America, something that was  
17 not included under the terms of Section 146, we have  
18 this instrument here, everything not included -- not  
19 included in the Dominion, in the Dominion. It doesn't  
20 say "admitted to the union", it says "included within  
21 the Dominion".

22 Now, I make a crucial point  
23 here. As of the date of the issue of this instrument,  
24 there is a distinction between Her Majesty's Dominion  
25 of Canada and the Union of Canada. By this instrument,  
26 a piece of Her Majesty's British North American terri-  
27 tory is aggregated, it's a territorial aggregation,  
28 the territories previously comprised in the Union  
29 of Canada. This is a territorial aggregation. This  
30 is an annexation, but the terms of annexation are very





1 loose. The only thing Her Majesty gives to Canada, if  
2 you can say gives it to Canada, she hasn't given Canada  
3 anything. All she says in this instrument which is a  
4 prerogative act, this is a prerogative act, Her Majesty  
5 simply decrees that this new piece which previously  
6 had not been included in the Dominion, is by this ins-  
7 trument, aggregated to the territory and what was a  
8 part of, an unstyled part of British North America now  
9 becomes a part of a styled territory. Her Majesty's  
10 Dominion of Canada, but there is nothing -- it is not,  
11 this territory is not admitted to the union, and Her  
12 Majesty simply decrees by this, that the laws -- that  
13 this territory, this newly aggregated territory shall  
14 become and be subject to the laws for the time being  
15 in force in the said Dominion. That says, Her Majesty  
16 says that that bundle of laws in force within her  
17 Dominion of Canada as of 31 July, 1880 are now the  
18 laws of this previously lawless, if you wish to put it  
19 that way, unincluded territory. She does not consti-  
20 tute the Parliament of Canada as a legislative author-  
21 ity.

22 The address by the Parliament  
23 of Canada asked Her Majesty, by act of Imperial Parlia-  
24 ment to constitute the Parliament of Canada as the  
25 legislative authority for this territory, but Her  
26 Majesty acceded to the desires expressed, but not to  
27 the extent and not in the manner that the government  
28 of Canada had wished, to preserve it as -- and clarify  
29 and strengthen its status as a British possession, she  
30 annexed it to the Dominion of Canada, but that does not



1 say that she put it under the jurisdiction of Her  
2 Majesty's officers in Canada. There is no inkling here  
3 of a beneficial interest. I see nothing in here that  
4 gives Canada a beneficial interest. I see nothing in  
5 here that makes Parliament, gives Parliament the right  
6 to legislate for this. I see nothing in here that  
7 constitutes Her Majesty's officers in Canada, in  
8 Canada as --

9 THE COMMISSIONER: You say it  
10 was an imperfect transfer of ownership and sovereignty  
11 of this land, is that it?

12 THE WITNESS: I don't say that  
13 at all, I say that this land, by virtue of the Royal  
14 Proclamation, the Royal Proclamation -- I have got it  
15 somewhere, the Royal Proclamation divides Canada into  
16 three sovereignties. The Royal Proclamation divides  
17 Canada into three sovereignties, Quebec, Rupert's Land  
18 and a Royal Preserve, a Royal Preserve, and this is a  
19 residuary provision here. All --

20 THE COMMISSIONER: You mean  
21 the Royal Proclamation of 1763?

22 THE WITNESS: The Royal  
23 Proclamation of 1763, yes sir. The Royal Proclamation  
24 of 1763 constitutes three sovereignties, Quebec --  
25 or recognizes three sovereignties, Quebec, Rupert's  
26 Land and all the rest, all the rest of my British  
27 North American possessions, except the middle Atlantic  
28 proprietorships and colonies. All of that is reserved  
29 unto Her Majesty, she took it unto her sovereignty,  
30 protection and Dominion. She reserved it unto herself,



1  
2 and she reserved it unto herself as a Royal Reserve  
3 for the Indians, and she prohibited entry into that  
4 to any of her subjects, and she says in fact, none of  
5 my governors shall grant patents -- patents for land  
6 or pass warrants of survey beyond the bounds of their  
7 commission under any pretense whatsoever, under any  
8 pretense whatsoever, so we have three sovereignties.

9 Now, the Act, and I put this  
10 in evidence, the Act for Regulating the Fur Trade,  
11 George IV , C. 66, 1821. I put this in evidence,  
12 and a reading of this, a reading of this once again  
13 will indicate that the Parliament of Great Britain  
14 recognized three sovereignties. It says in there that  
15 "it shall be lawful for Her Majesty to issue a licence  
16 for monopoly trade", in the Indian -- and this is the  
17 language of the instrument -- in the Indian territory.  
18 That is the territory -- and once again we have a  
19 residual, a residuary provision. This licence for  
20 exclusive fur trade is valid in all of British North  
21 America except Canada and Rupert's Land, so we have  
22 there again a reiteration of three sovereignties with  
23 the portion of British North America north and north-  
24 west of Rupert's Land is a reserve, a royal reserve  
25 and it's a reserve in which all rights, and this is  
26 Lord Watson, this comes from Lord Watson in St.  
27 Catherines Milling and Lumber.

28 A reading of Lord Watson's  
29 decision in St. Catherines Milling and Lumber will  
30 indicate that in this indian -- in the territory







1 reserved -- the territorial reserved by Her Majesty  
2 unto herself for the use of the Indians, within that  
3 territory<sup>the rights</sup> are divided two ways only between Her  
4 Majesty and the Indian people. There is no third  
5 party, and the lands that have not been ceded or sold  
6 is what I mean to say. Within that royal reserve,  
7 and that is the land of north of Rupert's Land, that  
8 would be the Athabasca, Mackenzie, Porcupine River,  
9 Yukon River drainage, within that land which is reserved  
10 unto Her Majesty, she reserves it for herself, but  
11 she bestows it -- possession of it, possession of it  
12 on the Indian people, as long as they have not ceded  
13 -- ceded unto her or she has not purchased their  
14 interest.

15  
16 (ACT FOR REGULATING FUR TRADE GEORGE  
17 IVc 66 (1821) MARKED AS EXHIBIT C-66)

18  
19 THE WITNESS: What I am saying  
20 now is this land has not been acted upon except in a  
21 proprietorial manner, except by the Royal Proclamation  
22 of 1763, and I quote in here, in this respect,  
23 Campbell versus Hall, 1774, Chief Justice Mansfield,  
24 in this decision refers to the Royal Proclamation of  
25 1763 with respect to the newly acquired possessions  
26 of Her Majesty, acquired by the Paris Treaty of February,  
27 1763 as the first and material instrument. That  
28 instrument and this instrument. The Order-in-Council  
29 of 1880 are the only Royal instruments bearing upon  
30 the territory north of Rupert's Land, that is to say,



1 Athabasca, Mackenzie, Porcupine River and the Yukon  
2 River. There are no others. The instrument that I  
3 have presented in evidence, the Act for Fur Trade,  
4 this grants a fur-trading right, but there is no  
5 proprietorship granted here, the proprietorship that  
6 Hudson Bay had was restricted to that granted by  
7 Charles the 2nd, in the charter to the com-  
8 pany.

9 Now, the question comes out  
10 now, the question now arises, what is the geographical  
11 location and extent of the Northwestern Territory,  
12 granted that Her Majesty by Order-in-Council of June  
13 the 23rd, 1870 says this:

14 "That Parliament of Canada shall  
15 have full power and authority to  
16 legislate for the future welfare  
17 and good government of the North-  
18 western Territory".

19 There is no question that Parliament and Her Majesty's  
20 officers of Canada have legislative authority and  
21 executive authority in the Northwestern Territory and  
22 in Rupert's Land.

23 But now we come to the ques-  
24 tion: What is the geographical location and extent of  
25 the Northwestern Territory, and I point out here, I  
26 will point out here that in the conferences leading to  
27 Confederation, in the Quebec conference, the London  
28 conference, in the draught, those -- the resolutions  
29 accepted in those conferences, the word "Northwestern  
30 Territory" only applies -- occurs. In other words, let



1 me put it this way. The words "Rupert's Land" never  
2 occur. The words "Rupert's Land" never occur, and in  
3 this document here, which I will -- I don't know how  
4 to present this, put this in evidence, but I would like  
5 to put this in evidence and maybe I can refer to it.

6 THE COMMISSIONER: Go ahead.

7 THE WITNESS: It's called  
8 "The Struggle for Responsible Government in the North-  
9 West Territories, 1870-1897," written by Lewis Herbert  
10 Thomas, who was provincial activist of Saskatchewan  
11 and it was written, published by University of Toronto  
12 Press, 1956. He has something to say about this, in  
13 this matter.

14 He says here as I have been  
15 saying, and as has been said in the Parliamentary  
16 debates, the boundaries of the two areas had never  
17 been authoratively settled, that is the Northwest  
18 Territory and Rupert's Land.

19 I will read a page 6 out of  
20 this document, part of page 6:

21 "There are several important fea-  
22 tures of this Section of the Act",  
23 and this is Section 146 that he is referring to.

24 "In the first place, the exist-  
25 ence of two different territorial  
26 units in the northwest was recog-  
27 nized. Rupert's Land, the domain  
28 of Hudson's Bay was recognized and  
29 the Northwestern Territory. This  
30 distinction had not been observed





1 in the Quebec resolutions of 1864,  
2 or the London resolutions of 1866,  
3 and more significant, did not  
4 appear in the earlier drafts of  
5 the British North America bill  
6 prepared by the London conference".

7 In other words, for three  
8 drafts in the proposed conference, the words "Rupert's  
9 Land" do not appear.

10 "This last minute change was a  
11 strategem of William MacDougall,  
12 the leading advocate of expan-  
13 sion to give recognition to the  
14 Canadian contention that there  
15 was an area separate from Hudson's  
16 Bay domain which if not already  
17 by virtue of Canada Exploration  
18 Act was at least not  
19 legally possessed by the company".

20 Now, we are at the point here  
21 where the Government of Canada has authority over a  
22 territory, a territory somewhere in British North  
23 America which is defined by the term "the Northwestern  
24 Territory and Rupert's Land", but in no document in  
25 which I can find is this -- is the geographical  
26 location and the extent of this territory defined, so  
27 we have the Government of Canada now in the position  
28 by virtue of -- by virtue of acts in the -- this  
29 portion of the country, we will say Porcupine River,  
30 the Yukon River, the Mackenzie River and the





1 Athabasca drainage, we have the Government of Canada  
2 performing executive acts and the Parliament of Canada  
3 legislating, but if I step up and I say "Yes, but  
4 this is an assertion of authority and I don't like  
5 what you're doing, now prove to me or show to me some  
6 way that you have the authorities and powers which  
7 you are exercising here".

8 Now, this is the position we  
9 are at and I will -- I won't take only a moment longer  
10 sir. We have formulated this -- we have formulated  
11 this question in the form of an application for  
12 declaratory relief filed in the Federal Court of  
13 Canada. If you wish it, I haven't got it, but here's  
14 the document by which the Clerk of the Court served  
15 it on the Deputy Attorney-General of Canada.

16 THE COMMISSIONER: No, you  
17 keep that.

18 THE WITNESS: I'll keep that.

19 Now, if you will allow me,  
20 I have no copy of this either, just a rough draft,  
21 but I will -- it is substantially what is presented  
22 and I will read it if you Will allow me.

23 THE COMMISSIONER: Well you  
24 are really in that --

25 THE WITNESS: Well --

26 THE COMMISSIONER: -- in that  
27 proceeding begun in the Federal Court, seeking a  
28 declaration that the Parliament of Canada has no  
29 jurisdiction over the region where we are now, is that  
30 it?



1 THE WITNESS: I won't read  
2 this, but I will go one step further and then I will  
3 be through.

4 THE COMMISSIONER: All right.

5 THE WITNESS: This document  
6 was filed, and it's between Tabetha Kiakavitchik (?)  
7 Smith and Her Majesty the Queen. It was filed on the  
8 12th, 12th day of May, it was served on the 12th day  
9 of May, on the Deputy Attorney-General of Canada. On  
10 the 11th, according to Federal Court Rules, we are at  
11 liberty to apply for a default judgment. The -- the  
12 Attorney-General of Canada has not appeared to enter  
13 a defence. We have moved the Federal Court to give  
14 us an order in default of pleadings, and this is the  
15 order we are seeking and this will answer your quest-  
16 ion.

17 THE COMMISSIONER: Fine.

18 THE WITNESS: They are asking  
19 that the Court order and adjudge that the defendant,  
20 not having shown that the lands in the Northwestern  
21 Territory admitted into the Union of Canada by and in  
22 the Order-in-Council of the 15th of July, 1870, extend  
23 northward beyond the northern height of land of the  
24 North Saskatchewan River-English River-Churchill River  
25 drainage, and in view of that fact, the plaintiff is  
26 entitled to relief in the form of a declaration by the  
27 court that the acts complained of are not intra vires  
28 Her Majesty acting in her right of Canada and to  
29 clarify I should specify the acts complained of, if  
30 you will allow me.



1 THE COMMISSIONER: All right.

2 THE WITNESS: Complained of  
3 in Section 7 of the Statement of Claim.

4 THE COMMISSIONER: M'hmm.

5 THE WITNESS: Acting in Her  
6 Majesty's behalf by virtue of the power of executive  
7 Government of Canada vested in Her Majesty by the  
8 Act of 1867, certain officers of Her Majesty's Govern-  
9 ment of Canada have,

10 (a) Taken possession of land between  
11 Dawson City on the Yukon River  
12 and Fort MacPherson on Peel  
13 River near its junction with  
14 the Mackenzie River by causing  
15 the construction of a highway.

16 (b) Taken possession of land near  
17 the junction of the Old Crow  
18 River with the Porcupine River  
19 by causing the construction of  
20 an air strip, facilities for  
21 its maintenance.

22 (c) Granted licences and rights to  
23 seek, produce, procure and  
24 possess minerals in lands of  
25 the Porcupine drainage to the  
26 benefit of Canada and the  
27 grantees.

28 And she claims that these activities injure me by  
29 disturbing my peace of mind and reducing the pleasure  
30 I was taking from my life when these activities began.





1 And that is the substance of it, and if you will allow  
2 me to recap for one second --

3 THE COMMISSIONER: All right.

4 THE WITNESS: -- the message  
5 I desire to leave with you, Mr. Commissioner, is that  
6 in view of the fact that your -- part of your assignment  
7 or responsibility is to assess the economic impact of  
8 this application, if we are sustained in this action  
9 and get this order, it will appear that the Governor  
10 General has no authority to grant, nor any other  
11 officer of Her Majesty's Government of Canada, any  
12 authority to grant the application for lands in fee  
13 simple or title by notification sought by the appli-  
14 cant, and if this should happen, any title granted  
15 would be defective and should people, commercial  
16 people throughout the area as happened in Alaska,  
17 commit themselves to expenditures based on the assumpt-  
18 ion that Her Majesty's Government of Canada has a  
19 valid authority here when it may not have, there may  
20 be serious economic consequences.

21 Thank you, sir.

22 THE COMMISSIONER: Thank you,  
23 Mr. Smith. I think that --

24 THE WITNESS: Can I say one  
25 more --

26 THE COMMISSIONER: Yes.

27 THE WITNESS: In view of the  
28 fact that this, these lands are yet, in my opinion,  
29 prerogative lands, in other words, these lands have  
30 not been acted upon in the royal domain, not the public



1  
2 domain. In view of this fact, and the fact that these  
3 lands are still under the protection, sovereignty and  
4 dominion of Her Majesty, I feel that the Indian organ-  
5 izations, and I am a sincere believer in the belief  
6 that there should be a sovereignty established for them  
7 and by them, but in view of this presentation here, my  
8 feeling is that they are applying to the wrong author-  
9 ity.

10 THE COMMISSIONER: All right,  
11 I think I have got it.

12 Well thank you, very much,  
13 Mr. Smith. It's 20 after 5:00 and I think we will stop  
14 for supper, and in view of the technical nature of Mr.  
15 Smith's presentation, I really don't think that we can  
16 ask Mr. Lord to translate it. It's on the record, Mr.  
17 Smith, it's a part of the permanent record of the pro-  
18 ceedings of the Inquiry, and it's a matter that Mr.  
19 Carter, one of the lawyers for Arctic Gas and who's  
20 here will be able to take up with his client and one  
21 that Mr. Veale, who is here representing the Indian  
22 Brotherhood -- I mean the Council of Yukon Indians,  
23 will be able to take under advisement, and it is also  
24 there for my own consideration.

25 THE WITNESS: Can I add  
26 the court number?

27 THE COMMISSIONER: Yes,  
28 please do, yes.

29 THE WITNESS: It's -- so  
30 that it's going to be available for whoever wishes to



1 get --

2 THE COMMISSIONER: Yes, please  
3 do.

4 THE WITNESS: This is Federal  
5 Court, this is filed in the Ottawa Registry of the  
6 Federal Court, Court Number T-1514-75, Tabetha Smith  
7 versus Her Majesty the Queen.

8 THE COMMISSIONER: Right.  
9 Thank you, Mr. Smith, so I don't think it will be  
10 necessary, Mr. Lord to translate that presentation by  
11 Mr. Smith, and we will adjourn until 8:00 o'clock  
12 tonight and we will hear the other people then and I  
13 hope you are all back here at 8:00 o'clock and we  
14 will have some supper in the meantime.

15  
16 (WITNESS ASIDE)

17  
18 (PROCEEDINGS ADJOURNED)  
19  
20  
21  
22  
23  
24  
25  
26  
27  
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30



1  
2 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)  
3

4 THE COMMISSIONER: Ladies and  
5 gentlemen, I think we are ready to proceed and so we  
6 will just -- we will just go right ahead. Would you  
7 swear Mr. Abel, please?  
8

9 CHARLIE ABEL, Sworn:  
10  
11  
12

13 THE INTERPRETER: Ladies and  
14 gentlemen, I will call his name out, Charlie Abel,  
15 and Mr. Berger, I want to say a little bit too, but  
16 first of all I want to thank you for your visit and  
17 your staff here to Old Crow people.

18 I also want to thank the people  
19 from MacPherson who are visiting us here at this time.  
20 Everybody is now taking turn and talking about whatever  
21 they want, and I am very happy about it.

22 Now, this afternoon I see as  
23 the people bring their briefs before you, it's mostly  
24 older people but I heard at MacPherson there are also  
25 young people that brought briefs before you and I would  
26 like to see it done here too. I like to hear from the  
27 young people because most young people are well educated,  
28 more than the older people, but it's hard to make them  
29 talk at times. The older people, we talk, it's not  
30 that we think we know more, but we like to see the young





1 people come out and talk their minds too because we  
2 know that they got more education than us older people.

3 But Mr. Berger, there aren't  
4 many of our northern people now and they have talked  
5 to you mostly on this pipeline matter and we would like  
6 to see more people talk to you on this pipeline matter  
7 because we all want to talk about the pipeline in the  
8 same way. But you have many more places to go to,  
9 also Whitehorse in the Yukon Territory and there,  
10 there's people there too that will also bring their  
11 briefs before you so that you will know pretty well all  
12 what the people of this northland are thinking about  
13 their land.

14 There have been a lot of talk  
15 about this pipeline, and you heard a lot of talk about  
16 it too, but as for myself, I would like to see this  
17 land claim be first settled and then afterwards, the  
18 pipeline. We talk about our land, our land in which  
19 we were born and brought up. We love our land, because  
20 long before us, for many years, our ancestors they have  
21 been living on this land and made their living on this  
22 land and that is the reason why we talk so much about  
23 our land now-a-days.

24 For A long time now as we natives  
25 live on our land, whenever the government want to do  
26 anything, any kind of work, any kind of project in our  
27 land, they go ahead and do it, even if we say anything,  
28 it don't matter a bit to them.

29 Many years ago at this  
30 Porcupine, and ran all the way up, right up to Johnson



1 Creek, there have been a lot of people working as  
2 trappers and they have made good living, every one of  
3 them that went out into the bush to make a living.  
4 There haven't been much people here in Old Crow all  
5 this time, and as you see for yourself, there's a lot  
6 of land in this Yukon Territory, the places that I  
7 have just mentioned just now, but there was lots of  
8 room for everybody to work on to make their living out  
9 of all them good lands.

10 I suppose I was about the only  
11 one that worked in that area at the Porcupine River  
12 up to Johnson Creek for ten years I worked and made my  
13 living out of that good land. Many times when I work  
14 up in that country, I worked from here and I go, I  
15 travel with my dog team and it wasn't easy, many times  
16 I had to walk ahead of my dogs to break trail for them,  
17 and until I get up to where the cabin, where my cabin  
18 was and from there I work with my trap line.

19 Later on, I still work in  
20 there but I went up there not with dog team but with  
21 aeroplane, I had a partner at that time. Now, that  
22 land where I was telling you about, nobody go in there  
23 now for many years, it's kind of empty, but we depend  
24 on that land, because some day there might be nothing  
25 much to hunt on this Crow Flat, it might turn out to be  
26 no rats and then we will work on that land where I was  
27 telling you about up the river.

28 To live on this land around  
29 here, it's not always easy to make a life, sometimes  
30 we find it very hard. Now, we never grow rich on this



1 land but as we grow up and learn to work and make our  
2 living off the land, we live very happy and that's the  
3 way I've been ever since I learned to make my living  
4 off the land.

5 The older people that you see  
6 here in this room now, we all know this land because we  
7 have been born in it and raised up in it and we all  
8 know where to go if we want to make our living off the  
9 land. This afternoon as I was listening to the brief  
10 that was brought before you, everyone mentioned that  
11 they don't want a pipeline. Now this is because they  
12 know that the pipeline project will bring in many white  
13 people, and the people there will be some good people  
14 and a lot of bad people too, and that is what is their  
15 worry, that's why they mentioned the pipeline.

16 When I was young, I remember  
17 that the government gave the people \$5.00, that's  
18 treaty money. Now when you get things for \$5.00 it  
19 wasn't very much. Now since then, the government have  
20 helped with Family Allowance, and also with old age  
21 pension, but the way the price of things are now today,  
22 you don't get very much for what we get from the govern-  
23 ment.

24 Now, as you see on the map  
25 where the proposed pipeline it's going to run, it's  
26 not too far from here and I know if the pipeline goes  
27 through where the line is, many people is against it,  
28 and I agree with them, and it also -- as it show  
29 where it's going to go over the mountain and to the  
30 people on Peel River area, it doesn't look too good.





1 I know the people over there, they live mostly on fish  
2 and the way it looks, that the pipeline will spoil a  
3 lot of their fishing areas in that part of the land.

4 As I remember, that the oil  
5 company showed up around here since 1954, ever since  
6 then there have been working, especially on these  
7 seismic lines, and they are destroying a lot of good  
8 land that they are travelling on.

9 I used to trap up the river  
10 during that time and I saw the way they worked. They  
11 had their blades down and tore up more of the road  
12 wherever they went and where in the spring time, where-  
13 ver they went, it is more like a creek and in that way  
14 they spoiled a lot of good land where we used to trap.  
15 All the way up this Porcupine River. The oil companies  
16 have work for seismics, and you can see their lines  
17 all over the land that they have travelled on. What  
18 they done in that land where they work with the  
19 they never once told any of the native people of the  
20 project that they were going to work on.

21 I know that on the other side  
22 in the Northwest Territory, the seismic people work  
23 the same way as they did on this in the Yukon. Now,  
24 since they have worked in this land of ours, the cari-  
25 bou are beginning to travel around where they never  
26 migrate before. They migrate in different places  
27 rather than what they used to in the old days.

28 Before then we knew where to  
29 expect caribou at the time when the caribou is migrat-  
30 ing. We never seen no caribou all winter. The ice



1 have broken up, only then did the caribou come and  
2 that's the reason why we have meat today.

3                   Wherever you have been travel-  
4 ling, you have heard people talk about land, that's  
5 because no matter wherever people are all the way up  
6 the Mackenzie Valley, and also over into the Yukon,  
7 Whitehorse and all around in that area, people are  
8 still living out in these lands and they know where  
9 their places are from away back many years, where they  
10 can depend on the land for their living. They found  
11 gold way back in 1898 over in the Yukon, Dawson,  
12 Now only the white people got the benefit of that gold,  
13 no Indian got anything out of it. Now this happened  
14 many years ago.

15                   This is all I have to say now,  
16 Mr. Berger, but probably tomorrow I may come back and  
17 talk some more again.

18                   THE COMMISSIONER: Thank you  
19 very much, Mr. Abel.

20                   (WITNESS ASIDE)

21  
22                   THE COMMISSIONER: I think I  
23 should say that the two ladies here who have the masks,  
24 are just repeating what everyone says who speaks, and  
25 it goes onto a tape and then it can be typed up when  
26 we get back to Yellowknife, and then it is in the form  
27 of a book, all typed up, so that I can read it and re-  
28 read it and have a chance to study what you've said,  
29 and to make sure I won't forget it. So that's why  
30 these ladies have these masks on.



1 JOHN MOSES, Sworn:

2  
3 THE INTERPRETER: He didn't  
4 mention his name but his name is John Moses.

5 THE WITNESS: John Moses.

6 THE INTERPRETER: Now he says,  
7 I am very glad, I am very glad that you have come here  
8 to listen to us, and to listen to what we have  
9 to tell you.

10 So I want to tell you some of  
11 the things that have happened away back many years ago  
12 and I will try and tell you right up-to-date. He says,  
13 further up on the other side of the Crow Flat along  
14 the foot of the mountains, there are places for corrals.  
15 Now, this is where people used to make their living  
16 by this -- by these corrals. At that time, the people  
17 had only bow and arrow and they had for axes, stone  
18 axes. This they did during the time of the caribou  
19 migrating, that they stay with the corral and get their  
20 meat by driving the caribou into the corral and shoot  
21 them with a bow and arrow and also they have snares  
22 on these corrals and that's how that they get their  
23 caribou and dry the meat and then later on they come  
24 down to the Crow Flat where there is lots of creeks to  
25 hunt their fish.

26 It's the way that the old  
27 people used to make their living until later on, and  
28 then later on people live a little easier because  
29 they start getting guns, fish nets, steel traps and all  
30





1 the things that they need to hunt with. Ever since  
2 then until today, we still do hunt with the same kind  
3 of the things that they had then.

4 Now, to have all them things  
5 to hunt with, you will have to have something to hunt,  
6 and they like the way they make their living by hunting,  
7 and that's why they have all these things to hunt with  
8 and they don't want to see the end of the things they  
9 have, and the things that they are hunting for.

10 Now, the white people in their  
11 own land, they have -- a lot of them have their own  
12 land and that is where they get their money from is  
13 because they have land which they can use and they make  
14 money with. Here, we too, the Crow Flat, is just like  
15 a farm or a land that we own, where we can go and make  
16 a living from.

17 Now, today there's a lot of  
18 talk about this proposed pipeline coming through this  
19 part of our land here near the Crow Flat. The reason  
20 why that we don't want the pipeline is that because  
21 of the land that we know for many years and have lived  
22 on and the land where we make our living from. We want  
23 to see the pipeline go some other way and then we  
24 wouldn't talk that much about it.

25 And also we want this land  
26 claim to be settled first before we have any more to  
27 say on the pipeline.

28 Mr. Berger, there are many  
29 others want to talk and this is all I would like to  
30 say to you at this time.





1 THE COMMISSIONER: Thank you  
2 very much, Mr. Moses.

3  
4 (WITNESS ASIDE)

5  
6 MRS. PETER CHARLIE, Sworn

7  
8 THE INTERPRETER: Mr. Berger,  
9 this is Mrs. Peter Charlie, and now although I am an  
10 old woman now, I would like to speak to you a little,  
11 and I hope that you will listen to me.

12 I would like to tell  
13 you about how I was brought up when I was a child.  
14 She says I am not young any more, I am very old, and  
15 I remember how the people made their living when I was  
16 brought up as a child. The Hudson's Bay were in at  
17 that time and later on they left. They left because  
18 I don't think they were doing too good at that time,  
19 but when they were in this land when they first started  
20 that was the only way that people used to get anything  
21 that they want.

22 This was done even before I  
23 was born. This is told by my dad. I was born 1894.  
24 There was, as I remember, when I was growing up, that  
25 because of no trader in the country here, people didn't  
26 have a very easy time, but still there were people  
27 here that made their living out of the land.

28 When they get lots of caribou,  
29 they used the skin for their clothing. She remembers  
30 they even make bone needles to make their tents with.



1 Now, it went like that for many years until 1904 but  
2 a person by the name of Katchlow(?) put a trading post  
3 here, and at the same time the whalers were down at  
4 Herschel Island and they wintered there and people from  
5 here would go down with what fur they catch to buy  
6 mostly ammunition.

7 Since Katchlow had started a  
8 trading post at the Rampart, then only then did we see  
9 more of the white man's stuff. Before then, she  
10 remembers that the people used to live off the country  
11 and they travel all over, mostly in the Crow Flats.  
12 In those days, the people didn't have traps like they  
13 do now. They knit some kind of a net with babish  
14 and that is what they catch the rats in.

15 Now, because of this trader  
16 Mr. Katchlow coming in, brought also trappers and these  
17 trappers, because of price of fur that they went into  
18 the Crow Flats and really hunted out the area. Now,  
19 the land was not very good to trap on for many years,  
20 that it's different now. For a long time, they had  
21 white trappers working in the Crow Flat areas, but later  
22 on it was through the help of the R.C.M.P. that they  
23 were able to put a stop to it, and since that time no  
24 white man has trapped in the Old Crow Flat.

25 That white man trader started  
26 to bring in fish nets and also traps, steel traps.  
27 Many creeks that run off the mountains that run into  
28 the lakes and also into this Crow River, and that is  
29 what brings the fish into our area here now. The fish  
30 are mostly from the lakes that run into the Crow River.



1 And that is what we are living on now.

2 Now, she hear about this pipe-  
3 line but she doesn't -- she is not in favour of the  
4 pipeline. Now these older people, mostly live by cari-  
5 bou meat. Now, this winter there was no caribou and  
6 they were all very hungry. Now, there have been schools  
7 now for many years on the Northwest Territory, there was  
8 schools in Hay River, in the Yukon there were schools  
9 around Carcross.

10 Now, it's only a few years  
11 now that we have schools here in this part of our  
12 country, and we don't like to see everything spoiled  
13 just by the pipeline coming into our country.

14 Mr. Berger, this is all what  
15 I would like to say to you at this time.

16 Thank you.

17 THE COMMISSIONER: Thank you,  
18 Mrs. Charlie.

19  
20 (WITNESS ASIDE)

21  
22 MRS. JOHN CHARLIE, Sworn:

23  
24 THE INTERPRETER: This is Mrs.  
25 John Charlie and she says that first of all I would  
26 like to say a few words to thank you for coming to  
27 visit us and to listen to us and also she is very happy  
28 about the visitors coming from these other places, like  
29 from MacPherson, the Peel River and also in the Yukon  
30 area, she says I am very happy to see everybody gathered





1 together here which she is very pleased with.

2 Many years ago, she remembers  
3 that people have lived all their life, people have made  
4 their living in this part of the world, country, and  
5 they always had someone as a leader, which we call  
6 chiefs today. Now, these leaders would tell what the  
7 people would do in the way of making their livelihood  
8 in the country.

9 She remembers, she remembers  
10 at that time they didn't have very much and whenever  
11 they went out hunting, and when they do kill what they  
12 want, they don't even lose a drop of blood, that's how  
13 much they want to keep everything. And this they don't  
14 use it by themselves, no matter how little they get,  
15 everything is shared with everybody, to be happy.  
16 Even how little they get at times, they would share it  
17 with everyone, old people, young people, as much as  
18 they could get out of it. Sometimes they find it very  
19 hard to make a living and when they do this, they even  
20 shared by cutting up the skin into small pieces, and  
21 sharing it with everyone in the camp.

22 There used to be a lot of  
23 people around this part, this country, and they all had  
24 different places where they would make their living.  
25 There was a lot of people all around this Porcupine  
26 River in different places but she said her Dad always  
27 made his living in the Crow Flats. When her Dad was  
28 in the Crow Flats, he didn't have everything to make  
29 an easy living with, everything that he made a living  
30 with in that area, he had to make his own. He had to



1 make his own fish nets out of willows, more like a  
2 trap -- he had to build fish traps and through the  
3 fish traps, that's where he catch fish in this willow  
4 net.

5 Now, he built the same kind  
6 of net, he makes the same kind of nets to catch the  
7 rats with too. When they had a camp in the flats there  
8 it was fish that they lived on mostly and they can't live  
9 on one sort of food all the time, like fish, they get  
10 tired of fish and then they would try and get other  
11 kind of animals, mostly caribou if they could. Now,  
12 to have this caribou, they had to go to the mountain  
13 country and around there when there's no caribou, again  
14 they would have a hard time to get food, so they would  
15 set snares for these mountain squirrels, as we call  
16 them, with sinew thread, and that's how that changed  
17 their diet of food as they go around hunting in their  
18 land.

19 A lot of times they have very  
20 hard time to get caribou, so sometimes they have to  
21 try and get these squirrels, which wasn't too easy to  
22 get, but whatever they get, they share with everyone.  
23 A lot of -- the way the people make their living in the  
24 old days, which I will tell you about, which wasn't  
25 easy at times, that they watch for these caribou, mostly  
26 in the fall by these corrals that they had up there,  
27 and they keep them in good shape because it was the  
28 only way that they expect to get food for the coming  
29 winter.

30 She can remember how these



1 corrals were built. They were built so that if the  
2 animal enters into this corral, there would be no way  
3 for the animal to get back out. They had even a hard  
4 time to get the animal into these corrals. The way  
5 the people were that's the only way they could make their  
6 grubstake for the coming winter, so they really try hard  
7 and they generally get what they want out of these  
8 corrals, good killing on these corrals. The first thing  
9 they do is that they built kind of a big wooden shack  
10 and that's where they store the meat so that everybody  
11 will have a share of what there is in that storeroom.

12 They even had a leader for  
13 these corrals, it not only belonged to one family but  
14 several family, and the leader share enough for each  
15 family.

16 She says I remember which  
17 happen when I was growing up and lived with my parents  
18 until later on, that I got married with a person that  
19 come up from up down the Yukon River, and then I had  
20 a home of my own, I had my own children and also I had  
21 -- I adopted some children to look after, and this is  
22 the story that I wanted to tell you.

23 THE COMMISSIONER: Well maybe  
24 we will just, ma'am, we will just take a little break  
25 here for 5 or 10 minutes. Would that be all right?

26 And we can stretch our legs  
27 for a minute and then you can tell us the rest of your  
28 story.





1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2  
3 THE COMMISSIONER: We will  
4 call the meeting to order again, and Mrs. Charlie, I  
5 apologize for adjourning in the middle of your state-  
6 ment, but it was getting quite warm in here and I  
7 thought we needed a bit of fresh air.

8 Would you carry on in your own  
9 way now?

10 THE INTERPRETER: She wants to  
11 tells us a little story of a very smart man that she  
12 known, called Charlie Tetlich. When this old man went  
13 out hunting or trapping, he didn't have a dog team, he  
14 just had one dog and she -- this dog had a little  
15 kind of a caribou skin sleigh which it pulls along with  
16 this old man.

17 So that old man went out  
18 trapping or hunting, he never went out -- he didn't  
19 have a sleeping roll or a tent to live in, he just  
20 built himself an open fire, whether it was winter or  
21 summer and that's where he went around hunting and  
22 trapping. And when he went out trapping, he didn't  
23 have no steel trap, all he done was build wooden  
24 traps which we call dead falls, that's the kind of  
25 trap that he worked with.

26 When this old man went out  
27 trapping, although he trapped with just only dead falls,  
28 he kill a lot of fur, and this -- when he catch a  
29 frozen marten, he put the marten under his shirt so it  
30 would thaw out. So when he come in the evening to camp,





1 in his open camp, well by that time these frozen martens  
2 that he put under his shirt would be thawed out and  
3 then he would skin them. He did this way up at the  
4 head of the Porcupine River. He also had a very smart  
5 woman, wife. These are his boys, Alfred Tetlichí and  
6 she was also married to one of them boys, John  
7 Tetlichí.

8 And we have one here, Peter  
9 Charlie, but he is really Peter Tetlichí. She remembers  
10 after she was married to John Tetlichí that there was  
11 lots of caribou right on this hill that you see up here  
12 on Crow Mountain, and she went up and hunted caribou  
13 and dried the meat before they went up to Johnson  
14 Creek. They hunted here and there, so that's --  
15 after that put up the meat, they hauled the meat down  
16 off the mountain with dog team and after they got ready  
17 they went up the river. This was after freeze-up that  
18 they went up the river, from here they went overland  
19 to where Alfred Tetlichí was, that was at Johnson  
20 Creek, that's quite a distance from here overland.  
21 It took quite awhile to get up to where Alfred Tetlichí  
22 was at Johnson Creek.

23 So after I get up at Johnson  
24 Creek, we didn't stay too long and then went and start  
25 trapping. We had a lot of dry meat for dogs, there  
26 was lots of rabbits at that time so every time we camp,  
27 that was the first thing we done was to set rabbit  
28 snares for dog feed. Sometime it wasn't too easy to go  
29 out in a long distance like that, but then other times  
30 we ran into caribou and when we do run into caribou,



1 well that help out a lot on the trip and in that way,  
2 we were able to go along distance to trap. And a lot  
3 of times too we run into a big bunch of caribou and  
4 whenever we run into a big bunch of caribou, well we  
5 try and get all we can and sometime we would dry meat  
6 and bring back heavy loads.

7 Now, these Tetlich brothers  
8 that were trapping up in Johnson Creek, they all trapped  
9 in different directions and sometimes it take them a  
10 long time to run over their trap lines. Then in the  
11 spring, after they are through with their winter  
12 trapping, they move back down here and over to the  
13 Crow Flats to trap, to hunt rats or to trap rats.  
14 And after trapping rats, they make boats up in the  
15 Crow River and then come down here for the summer  
16 season.

17 Now, I haven't any more and  
18 that's where I make my living all my life out of this  
19 land and now today I want the same thing for my child-  
20 ren and the rest of my people, to carry on the way I  
21 have made my living all my life. These young people  
22 now-days, they are used to a life of what we have in  
23 this land, and so even though they go to school and  
24 get education, they are always willing to come back  
25 and live the same as we did.

26 All these years, as I lived  
27 in this land, almost every year I see the caribou  
28 migrate in the same way. They go down in the spring,  
29 up to around the coast line to have their calves, and  
30 then in the month of August, again they migrate up



1 coming from the coast. She says that's the way she's  
2 seen things that gone by in the past.

3 Now, she hear about this pipe-  
4 line, proposed pipeline coming through this land. She  
5 says that probably it might cause a lot of problem for  
6 the people that are living in this land, and now she  
7 is old and she just don't feel right about what is  
8 coming into the land. It's a very cold country because  
9 it gets so cold at times, they see that even the ground  
10 cracks, the same as the ice on the river and lakes and  
11 they crack up because of the cold weather.

12 She says that the way she see  
13 the ground crack at times, even if they put the pipeline  
14 under the ground, just because this ground crack, some-  
15 thing/<sup>may</sup>happen to the pipeline and if the pipeline get  
16 broken, it will destroy the land.

17 Now, Mr. Berger, this is all  
18 I have to say. I may come back again tomorrow.

19 THE COMMISSIONER: Thank you,  
20 Mrs. Charlie.

21  
22 (WITNESS ASIDE)

23  
24 CHIEF ELJAH SMITH, Sworn:

25  
26 THE WITNESS: Mr. Berger,  
27 ladies and gentlemen. I want to clarify some of the  
28 positions that the C.Y.I. has been taking. I have  
29 worked with these people for the last few years, and  
30 they have been continuously in a mix-up of some project





1 that is going around disturbing the way of their lives.

2 Now, I am going to make this  
3 statement very short. When I first started with them,  
4 they were interfered by the oil companies. We had an  
5 awful time to get Chretien to put out some of these  
6 oil companies that were interfering around the Crow  
7 Flats. Today, they are facing the same problem again  
8 with the oil companies, which is the gas pipeline.  
9 And I think you have heard a great deal of them today,  
10 and I myself, the Council for the Yukon Indians, will  
11 presenting you a strong brief on their behalf at the  
12 Whitehorse meeting.

13 Thank you very much, sir.

14 THE COMMISSIONER: Thank you,  
15 thank you, sir. Mr. Smith has given evidence before,  
16 a statement before us before.

17  
18 (WITNESS ASIDE)  
19

20 THE COMMISSIONER: There were  
21 some questions that Mr. Peter Nukon asked a little  
22 while ago. Maybe this would be a good time for Arctic  
23 Gas to answer those questions.

24 Now, Mr. Peter Nukon asked  
25 if Arctic Gas was going to patrol the pipeline to look  
26 for fires; he asked whether Arctic Gas owned a fire  
27 bomber; he asked whether Arctic Gas was going to have  
28 its own forest fire department, and he asked who was  
29 going to fight a fire if it started when the pipeline  
30 broke. I think those are the questions you asked.



1

2

MR. NUKON: Yes.

3

4

5

6

THE COMMISSIONER: Do you want to translate those and then we will ask Arctic Gas to answer them? Can you translate those?

7

8

THE INTERPRETER: Yes, I will try.

9

10

11

THE COMMISSIONER: Mr. Carter?

MR. CARTER: Sir, I will have Mr. Rowe answer Mr. Nukon's questions.

12

13

14

THE COMMISSIONER: Mr. Rowe? Yes, you had better come forward here and be sworn in and you can sit at this seat.

15

16

DOUGLAS ROWE, Sworn:

17

18

19

20

21

MR. ROWE: In Attempting to answer Mr. Nukon's questions, I may change the order around a little bit, it would be perhaps more clearly explained that way.

22

23

24

25

26

27

Mr. Nukon asked if Arctic Gas will patrol the pipeline to determine fires or other events which might affect the pipeline. It is indeed the intent of Arctic Gas to patrol the pipeline as often as they deem it necessary, and this is current practice on most other pipelines which are installed.

28

29

30

The pipeline would be patrolled by aircraft, and also by people walking on foot. The idea of the patrol would be to determine any detrimental



1 effects which might cause damage to the pipeline or if  
2 there were fires which may have been incurred. The  
3 only times when the company would propose not to patrol  
4 the pipeline would be during certain periods where  
5 there would be environmental sensitivities, for example  
6 during the fall staging of the snow geese on the north  
7 coast, should the coastal route be employed, the geese  
8 are very sensitive to overflights by aircraft and  
9 Arctic Gas would not patrol this pipeline while the  
10 geese were moulting on the north slope.

11 In the event of a break in the  
12 pipeline, which is very infrequent with the technology  
13 which is employed today, but should there be a break  
14 there would also be a possibility that there would be a  
15 fire at the same time. When there is a fire like this  
16 at a pipeline break, usually it doesn't start the  
17 surrounding grounds on fire, because it burns very high  
18 up in the air, it doesn't burn on the surface of the  
19 ground, but the gas goes up and it burns in the air.

20 THE INTERPRETER: Could you  
21 just explain a little bit on the natural gas and liquid  
22 gas, could I say that --

23 -- to say that the fire would  
24 be up in the air?

25  
26 MR. ROWE: To answer Mr.  
27 Nukon's question about equipment, fire bombers in  
28 particular but fire fighting equipment in general,  
29 the company will have fire fighting equipment which  
30 would work in the particular type of terrain where this





1 equipment was stored.

2 THE INTERPRETER: You have  
3 this fire equipment stored?

4 MR. ROWE: There would be  
5 different equipment for different regions.

6 This equipment would be used  
7 to fight fires in conjunction with the local forestry  
8 personnel or whoever else might be involved in fighting  
9 the fires, it would be a cooperative effort.

10 Not only would the company  
11 intend to try and contain fires which were caused should  
12 a break occur in the line, but also they would be  
13 interested in fighting any fires, no matter how they  
14 were caused, which were in the region of the pipeline.

15 In response to the specific  
16 question about the fire bomber, the aircraft that is  
17 used to fight these fires, I doubt very much that Arctic  
18 Gas would own such an aircraft but would probably lease  
19 one at such times as it was needed.

20 I think that covers the quest-  
21 ions, Judge Berger. I could elaborate on the pipeline  
22 breaks a little more if people were interested.

23 THE COMMISSIONER: Well Mr.  
24 Nukon didn't ask about that, in fact he said he didn't  
25 want to hear about that, he wanted to know what happened  
26 if it broke and a fire resulted.

27 MR. ROWE: M'hum.

28 THE COMMISSIONER: I think you  
29 have covered that. I should say that I -- Mr. Nukon  
30 said we do not want them to tell us the pipeline won't





break. He went on to say that he wanted to know what would happen if it did.

MR. ROWE: Okay.

THE COMMISSIONER: Thank you, Mr. Rowe.

(WITNESS ASIDE)

KENNETH NUKON, Sworn:

THE WITNESS: Excuse me, I forgot my name. My name is Kenneth Nukon.

THE INTERPRETER: Now, he says I don't know you people name very well, but ladies and gentlemen, I would like to say a few words at this time.

It's hard for me to speak but as I am here now, everyone is saying what they want, so I am going to do the same thing, I am going to try and say something that I want to say at this time. And again I want to say, we are all about the same. There's lots of silly Indians and there's lots of silly white man. He doesn't live in town too much, he always stay out of town.

Now, he stays a little way up the river, I suppose you have seen his camp just a few miles up the river, that's where he stay.

THE COMMISSIONER: We saw it on our way here this morning. Chief John Charlie of MacPherson pointed it out to us.

THE INTERPRETER: So he says we have heard of your visit on the matter of



1 the pipeline and this has made him come to think. He  
2 heard a lot about pipeline, but he says he never seen  
3 anything like it so he don't know the meaning of a  
4 pipeline yet. He said he always think that in the  
5 month of July is a very good month, because we are all  
6 gathered here now in the month of July, we find it  
7 very warm in here at times so we all go out and still  
8 find it warm out there and it's not like that all the  
9 time.

10 Later on in the year, espec-  
11 ially during the month of November, everything wouldn't  
12 be the same as what it is today, it would be different.  
13 Because of this many changes in the season of the year,  
14 at times we find it very hot. He says for myself I  
15 don't find it easy all the time. At times I find it  
16 very hard to make a living.

17 is  
Now, this/ my boy, Peter Nukon,  
18 who spoke a little while ago. When he was growing up,  
19 I didn't find things too easy even at that time. In  
20 those days we were not looked after like what it is  
21 today. He says we have to work very hard as natives  
22 of this country to make our living. Now, the white  
23 people have their own country outside and they come  
24 into our land, they bother us, they work in our land  
25 and this make it much harder for us to make our living  
26 out of our own country.

27 The reason why I say this is  
28 not that because I think too much of myself. Now this  
29 I say again it's not for myself but for the sake of my  
30 young children. He says we call this pipeline two



1 different ways; one of them English and one in our own  
2 language. He says no matter how you call it, he said I  
3 don't like it to be around here.

4 Now I live about 20 miles up  
5 river here from town, and I see these people that --  
6 the fishery people that tag the fish and they tell me  
7 whereabouts they tag fish, it's up in the Crow Flat --

8 THE COMMISSIONER: Tag fish?

9 THE INTERPRETER: Tag fish.

10 They mark them --

11 THE COMMISSIONER: Yes.

12 THE INTERPRETER: -- with tags,  
13 and he says I am catching everyone of them fish up in  
14 my place. He says he doesn't know exactly whereabouts  
15 they put these tags on them, but then they get into the  
16 Crow River and come down the river and once they hit  
17 the river, they go up to my place where I catch them  
18 all.

19 Now, as we are here now, the  
20 weather is good and everything seems to be all right.  
21 Now we may think that's the way it is all the time but  
22 very shortly now we know that the cold weather will be  
23 coming and then we go out and get busy and try and  
24 store up for what we need during winter, which we find  
25 it very hard to do at times. It's not always that easy  
26 to get along in this country.

27 Now, if we don't do anything  
28 and when the cold weather comes, we will really feel  
29 the cold, then we would say it's too cold. We don't  
30 wear shoes like what we wear right now all winter.





1 Even sometimes we put on fur clothes, we freeze some  
2 parts of our body.

3 Mr. Berger, this is all I have  
4 to say now. I may come back and talk some more tomor-  
5 row but right now if I talk more, I might get mad.

6 THE COMMISSONER: Thank you  
7 very much, Mr. Nukon.

8 MR. VEALE: Mr. Berger, we  
9 have a number of statements to be read. Some people  
10 are present, should they come up and be sworn and then  
11 Peter Nukon read their statements for them?

12 THE COMMISSIONER: Yes, tell  
13 Miss Hutchinson where they are and then she will go  
14 where they are seated and swear them.

15 MR. VEALE: We have a state-  
16 ment from Neil McDonald who can't be with us at this  
17 time and Peter Nukon will read that into the record.

18 THE COMMISSIONER: Yes,  
19 certainly. This will be treated as an unsworn sub-  
20 mission in the same way as the Inquiry treats unsworn  
21 submissions that are received from many people.  
22 So I am anxious to hear it, just as if Mr. McDonald  
23 were here.

24 MR. PETER NUKON: "How the pipeline  
25 will affect the Old Crow people, and the Old Crow area.  
26 We all know before the white man came some of the  
27 people that had caribou fence wait for the caribou to  
28 come. When the caribou comes they try to get all they  
29 can and dry their meat during the summer and some of  
30 the people on the rivers where the fish trapped, fish



1 all they can after the people have run short of food.  
2 They all start travelling south in the winter.

3 "There are times when the cari-  
4 bou is scarce and has to return or go out to the Crow  
5 Flats for rats. They are away at the time when they  
6 used to hunt rats, they go along the shore and tap the  
7 ice as they go along by bone chisels. When there is a  
8 hollow sound , that is where the rats run away out to  
9 the lakes. They make a round hoop and they net it and  
10 when the rats come out, they pull the rat out and some-  
11 times they get many and sometimes not so many.

12 "So when the people are starving,  
13 that is their last resort, the Crow Flats. Some years  
14 ago, there are some assessment workers and they had  
15 some boys from Old Crow who worked with them and they  
16 did some dynamite work around the lakes while looking  
17 for oil and a lot of dead fish were found. And when  
18 the pipeline goes through north of Old Crow, they will  
19 be polluting the rivers and the lakes and that will  
20 destroy the fish and the run of caribou, with all the  
21 noise and that it would make more scarce the caribou.

22 "Not only that, with all the  
23 people who are going to work on that pipeline  
24 what will become of the young people. This is  
25 the main reason why we people of Old Crow do not want  
26 the pipeline to run through our country.,

27 THE COMMISSIONER: That state-  
28 ment will be marked as an exhibit and form a part of  
29 the permanent record of the proceedings of the Inquiry.  
30



(STATEMENT OF NEIL McDONALD MARKED AS  
EXHIBIT C-67)

ALFRED CHARLIE, Sworn:

THE INTERPRETER: Judge Berger  
ladies and gentlemen. Before the oil company came in  
this country to do their -- get ready for oil and doing  
some seismic work, he said the country through the area  
around here wasn't marked that much. He said you  
have probably flown over that country today and saw some  
of that seismic work and a lot of marks through that  
country.

Before we find out they were  
doing any damage to our land, he said they come as far  
as Crow Flats, that's when the people found out they  
were doing the damage to the country. He said he also  
worked three different times, three winters there, he  
had been working for the oil company and he know quite  
a bit of what kind of work they are doing in this  
country. Not only they are scraping the ground up with  
bulldozers, but they are also blowing dynamite in the  
ground.

He said one time they started  
writing letters out for complaining about the damage  
that the oil company had done in this country, so they  
finally got some people from Old Crow to stay with those  
people, one in each camp from Old Crow to look after  
them, what kind of work they are doing so they could  
report back to the people in Old Crow.





1 And he said some of these camps,  
2 he said, after the oil company left the country,  
3 they left all the empty gas drums all over the  
4 place, they didn't clean up their camps. Some of those  
5 empty drums were open in half, some of them half full  
6 of oil or gas like that and spilled around the ground.  
7 And some of these places, he said, there's a little  
8 creek running into the lakes and some of the drums have  
9 been left close to the lake so the oil was running  
10 into the lake.

11 And he said one time he went  
12 to a meeting and talking about Crow Flat, he said he  
13 would like to tell you a little story about Crow Flat  
14 now. One time he said he went to Whitehorse to a meet-  
15 ing about this Crow Flat, and he said there were a lot  
16 of people in that meeting from different places. At  
17 that meeting, the people asked him to -- they wanted  
18 to hear what the Old Crow people think so they told him  
19 to make a speech, they want to hear from him. He said  
20 it was very hard for him because he didn't have the  
21 education and he never talked in a crowd of people  
22 like that before and it was very hard for him at that  
23 time.

24 He talked quite a bit about  
25 Crow Flat. Anyways, he said he mentioned to those  
26 people, he said before the oil company come to Crow  
27 Flat, he asked those people, he needs lots of help.  
28 And he said at that time he told those people that  
29 if people start to come to Crow Flat to drill for oil  
30 and do their seismic in Crow Flats, they will probably





1 mess up the place, and then probably if they strike  
2 oil under Crow Flat or something, that everything will  
3 be messed up, and when everything is finished, they  
4 are going to leave the mess there and say good-bye  
5 to everybody, that's all. Probably they wouldn't even  
6 say good-bye to some of the people.

7                               So he said he mentioned to  
8 those people that time, the people in Old Crow, he  
9 said that ground you are after up there, it would only  
10 fit inside my hand here, the Old Crow people make  
11 their living out of that and he said you people, why  
12 you have to come and beg for some of that ground so  
13 much? He told those people, some of you are working  
14 -- some of you are government people, you make money,  
15 you put money in the bank. And he said people don't  
16 do that, they don't put money in the bank but when they  
17 want to make money, they use Crow Flats for a bank,  
18 they go back there to trap and hunt muskrat so they use  
19 it as a bank.

20                              From that time on, he said,  
21 the oil company did stop coming up here, they didn't  
22 go asking for Crow Flats any more or came up here any  
23 more. And he said that when he saw the Minister of  
24 Northern Affairs, Chretien, and Chretien asked him  
25 why you people in Old Crow don't want nobody to come  
26 to Crow Flats. He said the people are after oil,  
27 looking for oil, wanted to find oil. But Chretien  
28 told him, he said supposing the oil company finds oil  
29 under Crow Flat, they are going to give us the royalty  
30 from that oil they found.



1 Chretien told him that it was  
2 impossible, so he told Chretien that it's very  
3 impossible for me to give up my ground for the people  
4 who's looking for oil too.

5 And now he wants to say some-  
6 thing about the land claims. He is thinking very  
7 strongly about the land claims. He said he is thinking  
8 about the pipeline and he don't eventhink about the  
9 pipeline. He says he doesn't even like to talk to  
10 someone about the pipeline, that's how much he don't  
11 like to see pipeline coming through near Old Crow.

12 He says he heard lots of good  
13 things about pipeline from different people from the  
14 oil companies, and he said we already heard good things  
15 about the pipeline and other things but we don't hear  
16 no bad things, everything is going to be perfect. But  
17 he says there's going to be trucks, there's going to be  
18 bulldozers and other vehicles that travel over the land,  
19 and all these travel by power, oil power and gas power  
20 and they will be refueling different places and they  
21 are going to spill a lot of oil on the ground, nobody's  
22 mentioned that to us. There's vegetation grow over  
23 this again and the animals that roam the land come  
24 across this place and start feeding on this. They will  
25 pollute the water with it.

26 Perhaps fish will get sick  
27 from this too. Suppose we eat fish like that and  
28 people don't expect to live healthy with that kind  
29 of food.  
30



1  
2  
3  
4 He said our main food in Crow  
5 Flat is muskrat too, when we trap muskrat and  
6 supposing we eat sick muskrat from this polluted water,  
7 and he says rats, they feed from under the lake, their  
8 food grows under the water and they feed on this.  
9 Supposing the weeds from underwater grow this and then  
10 this animal gets sick and the people start eating  
11 them.

12 He said he is very happy to  
13 have a talk with you here, and you will probably be  
14 here for another day and he said perhaps if he had h  
15 anything more to say by that time, he probably will  
16 say a few words again.

17 THE WITNESS: Thanks very  
18 much.

19 THE COMMISSION: Thank you,  
20 very much, sir.

21  
22 (WITNESS ASIDE)  
23

24 THE COMMISSIONER: It's about  
25 11 o'clock, and I think it would be the best thing to  
26 stop now for today, and we will start again tomorrow  
27 at 1:00 o'clock.

28 Before we adjourn today, let  
29 me thank you for the map that was discussed -- this  
30 map, the Loucheux map of the Old Crow country. Miss





1 Hutchinson, that should be marked as an Exhibit, and  
2 made a part of the permanent record of the proceedings  
3 of the inquiry. You can mark it and leave it up on the  
4 wall until we leave Old Crow.

5  
6 (LOUCHEUX MAP OF OLD CROW COUNTRY  
7 MARKED AS EXHIBIT NUMBER C-68)  
8

9 THE COMMISSIONER: And I want  
10 to thank Chief and members of the council and Chief  
11 Elijah Smith and the others who spoke today. I certainly  
12 found what each of you had to say interesting, and  
13 helpful to me. My job is to listen to what you've got  
14 to say, and I find that I am learning a great deal from  
15 all that you have told me.

16 So, maybe you would translate  
17 that, Mr. Lord.

18 THE INTERPRETER: Yes.

19 THE COMMISSIONER: We have  
20 been asked to announce that there is going to be a dance  
21 at the community hall tonight and all of us on the  
22 C.B.C. and the Inquiry are glad to know that, because  
23 we like going to dances. Some of the people that  
24 travel with me stay up all night dancing, so we'll see  
25 you at the dance tonight at the community hall and then  
26 we will come back here to continue the hearings at  
27 1 o'clock tomorrow.

28  
29 (PROCEEDINGS ADJOURNED)  
30

347

M835

Community 14

AUTHOR

Mackenzie Valley pipeline inquiry:

TITLE

Old Crow, N.W.T. 11 July 1975

DATE DUE

BORROWER'S NAME

347

M835

Community 14





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MACKENZIE VALLEY PIPELINE INQUIRY

Government  
Publications

IN THE MATTER OF AN APPLICATION BY CANADIAN  
ARCTIC GAS PIPELINE LIMITED FOR A RIGHT-OF-  
WAY THAT MIGHT BE GRANTED ACROSS CROWN LANDS  
WITHIN THE YUKON TERRITORY AND THE NORTHWEST  
TERRITORIES FOR THE PURPOSE OF THE PROPOSED  
MACKENZIE VALLEY PIPELINE

and

IN THE MATTER OF THE SOCIAL, ENVIRONMENTAL  
AND ECONOMIC IMPACT REGIONALLY OF THE  
CONSTRUCTION, OPERATION AND SUBSEQUENT  
ABANDONMENT OF THE ABOVE PROPOSED PIPELINE

Old Crow, Y. T.

July 12, 1975.

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PROCEEDINGS AT COMMUNITY HEARING

VOLUME 15

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347  
1835  
COMMUNITY  
15

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APPEARANCES:

Prof. Michael Jackson	for Mackenzie Valley Pipeline Inquiry;
Mr. Darryl Carter	for Canadian Arctic Gas Pipeline Limited;
Mr. Ron Veale	for Council of Yukon Indians;
Mr. Glen W. Bell	for Northwest Territories Indian Brotherhood, and Metis Association of the Northwest Territories.

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Old Crow, Y. T.

July 12, 1975.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

THE COMMISSIONER: Ladies and gentlemen, I think we will bring our hearing to order this afternoon now and I think we have a witness to be sworn, Miss Hutchinson.

MR. VEALE: Judge, this is Myra Kay.

MYRA KAYE, Sworn:

THE INTERPRETER: She said she had put in a note and now she said it is pretty hard for her to say the same thing over just exactly what she said before.

MR. VEALE: She can say it in her own way.

THE COMMISSIONER: Carry on, you just go ahead and tell me.

THE INTERPRETER: She said long ago she wasn't born in this country, she was born in Alaska down in the Arctic Village down there where she was born. As far as she can remember, probably back around 1902, a minister named William Naduchi(?) was up there as far as she could remember. He said if people move up there, that's how come she came up to his country.





1 Now she said it has been a  
2 long time since she move away from her own part of  
3 country, she move in there and she lives up there now  
4 and probably she belong to this tribe of people now.  
5 She said she remembers some part of how the people used  
6 to make their living in that part of the country where  
7 she was born.

8 She said the time she was down  
9 in that part of country when she was young, she remember  
10 that people used to make their own tools to kill cari-  
11 bou, and they make their own tools to kill moose and  
12 caribou and sheep like that, and she said they used to  
13 make a spoon out of the sheep antler. So they -- the  
14 bigger horn they get from sheep they make a bigger  
15 spoon out of it like a scoop so they could eat in it.  
16 And she said the people, she mentioned before they are  
17 making tools now, she tells them about the caribou  
18 hide, how they use it, they use it for clothing, winter  
19 clothing out of caribou hides and such as making babish  
20 and use it to make the snowshoes and they use it for  
21 things like that.

22 And the way they used to kill  
23 caribou, the only way they kill caribou is -- they make  
24 caribou fence and they set -- they make caribou snares  
25 out of those caribou hides and they set a lot of snares  
26 inside of this caribou fence and when the caribou come  
27 near this fence, people used to surround those caribou  
28 herds and chase them towards the fence and once they  
29 get in the fence, that's how they used to kill their  
30 meat. There was no gun, only bow and arrows.



11 And she said that they have a  
12 place on the fence where they could pull the caribou  
13 out, people help each other to get the caribou out of  
14 the fence, some people are resetting their snares inside  
15 the fence. Again she is talking about how they chase  
16 the caribou into the fence, people used to surround  
17 this caribou and they have an open place in one end  
18 and they try to get the caribou in there. Once they  
19 got the caribou in there, they chase the caribou in  
20 and then the rest of the people will go around the  
21 fence, whatever is caught in the snare, they used to  
22 go there and kill, and two -- they leave two men there  
23 with a blanket tied to a pole and run back and forth  
24 so the caribou would be scared, they would stay  
25 inside of the fence so they could go around looking  
26 for a place where they could get out and that's how  
27 they used to get the caribou inside the fence.

28 She said in them days, that's  
29 the only way the people used to make their living out  
30 of this land, whatever they get -- if they don't get



1 caribou they look for ground squirrel, things like that.  
2 People never used to stop working, people working all  
3 the time.

4 In the summertime they used  
5 to move around too sometime and they used to move  
6 around the mountain range and the men always goes up  
7 hunting, that's all they do for living was hunting.  
8 And they carry a spear for fish, they have a special  
9 spear for fish. They carry that, if you don't kill  
10 no game one day, then they go follow the river looking  
11 for fish and spear fish. They all come home with  
12 something.

13 She said wherever they go,  
14 if they get a bunch of caribou during the summer, they  
15 dry it, after they prepare it to cache it away, they  
16 used to dig in the ground and make cache underground and  
17 then keep on moving, look for some other place for  
18 game. She said it's not only the caribou they dried,  
19 they dry anything they get, dry fish or if they get a  
20 big bunch of ground squirrel, they clean it and dry  
21 that too. And she said after they do that in summer,  
22 moving around they go back to their caribou fence. If  
23 the caribou fence are need to repair, they go back  
24 -- sometimes they go back during August or month of  
25 August, and wherever they needed to be repair, they  
26 repair the fence. Some places are broken down, they  
27 repair it.

28 She too herself, she said she  
29 used to help to repair those caribou fence. After they  
30 get through working with the caribou, she said they





1 settle down for a while. They used to make tepees as  
2 they get plenty of food to stay one place for a while  
3 they do that, and that's the only time they stop work-  
4 ing for a while. And once they settle down after the  
5 caribou season is over, they settle down for a while  
6 and the women start working on those caribou hides,  
7 tanning them, and pretty soon they start making the  
8 winter clothing out of it. Once they got all prepared  
9 for winter, the rest of what they got, they used to go  
10 down to the nearest place where they could sell the  
11 caribou hides, a place like Fort Yukon people used to  
12 buy these, they use to buy this from each other for  
13 winter clothing.

14 And it's always the same thing  
15 over and over every year. One season is over then they  
16 start moving around during winter.

17 MR. VEALE: Mrs.Kaye, did you  
18 used to set snares for rabbits and ptarmigan behind  
19 the Old Crow Village?

20 THE INTERPRETER: She said she  
21 used to snare rabbit and ptarmigans. There's no  
22 rabbit and ptarmigan disappeared in the country, there  
23 is nothing to get now, and she is showing this sinew  
24 out of caribou tundra line, they get the sinew out of  
25 it and they make snares, this is what she used to snare  
26 ptarmigan.

27 She also show skin tanned for  
28 tanning the skins, scraper.

29 MR. VEALE: Mrs.Kaye, did you  
30 set snares where the airport is?





1 THE INTERPRETER: She used to  
2 snare ptarmigan around there, they used to make a  
3 little fence with willows for ptarmigan and caribou.  
4 The ptarmigans come around and they used to set snares  
5 along that, that's how they used to get ptarmigan.  
6 It has been three years since activities been going on  
7 around here. She thought that -- ever since that time  
8 there was no ptarmigan around close to town, rabbit  
9 too. But like you see other side of the airport there,  
10 there's a little bush there, she had a snare there this  
11 winter, she only caught one ptarmigan and one rabbit  
12 last winter.

13 MR. VEALE: Mrs. Kaye, what do  
14 you think of the pipeline?

15 THE INTERPRETER: She said  
16 she had told you people about the hard time they had  
17 way back, how hard they had to work to make their  
18 living. She told you the story about how the people  
19 used to make their living and she said she heard about  
20 pipeline and perhaps the pipeline will bring the hard  
21 times back to the people in Old Crow. She said it is  
22 not only for her but for the children of Old Crow,  
23 will bring the hard times back for the future ahead.

24 She said she's feeling very  
25 sad about this pipeline coming through Old Crow. She  
26 thinks that she really feeling sorry for the younger  
27 children who's growing up now. She's not in favour of  
28 pipeline going through near Old Crow.

29 She said there is other part  
30 of the country, the country is big and she said while



1 that, she said people are always having hard time here,  
2 but she thinks that the pipeline coming near Old Crow  
3 would bring more hard times to the people of Old Crow.

4 She said she had visit down  
5 in Alaska back to her home, down the Arctic Village  
6 and same thing going on over there about pipeline, but  
7 she said the white people are really helping the native  
8 people there and the people there too they don't want  
9 it to build near their village, so they -- now she said  
10 that she know that her people had told her that if  
11 they going to build a pipeline through there, it's not  
12 going to be near their village. And she said people  
13 down there, they are marking their ground such as they  
14 know. The fish out of the lake, it was good lake for  
15 fish, they mark it, they go there and they put their  
16 names on it. They put up a post and put their name on  
17 it.

18 She's telling a story about  
19 long time ago again. She said sometime during the  
20 winter the no moose or the caribou in the country,  
21 the people travel all over, sometime they go along  
22 some river, a little bit deep water, and sometimes the  
23 fish stop, get in a deep pool and the fish winter  
24 there under ice, but there is so many fish get into  
25 that pool, that ice start to push up right in the  
26 middle of the river and they know where the ice push  
27 up like that is fish under there. That's where the  
28 people start to spear the fish, that's how they get a  
29 lot of fish too that way.

30 This is not the only way they



1 used to make snare for rabbit or ptarmigan. They have  
2 other ways to make this kind of snare too. They used  
3 to dry that cord from moose leg, the cord behind, they  
4 used to dry that, they used to dry that and after well  
5 dried, they smash it with wooden hammer and it spreads  
6 out. They used to get their snares out of there too.

7 She still tell that winters  
8 there's nothing, they have to make their own tools, no  
9 traps, nothing. They used to make snares to catch the  
10 ground squirrel and they used to make the sharp out of  
11 stone, she didn't explain how they used to make it but  
12 she said it take a long time to make one. They used  
13 to catch the ground squirrel like that.

14 And she said this is all she  
15 wanted to say. She's not very strong in her brea-  
16 thing for talking, so she can't talk too long.

17 THE COMMISSIONER: Well Mrs.  
18 Kaye, what you have said has been fascinating and I  
19 appreciate your taking the trouble to come here and  
20 talk to me.

21 Mr. Veale, if Mrs. Kaye and you  
22 wish to enter the snare and the scrapers as exhibits,  
23 that would suit us very well, but it may be Mrs. Kaye  
24 doesn't wish to do that. I leave that entirely up to  
25 Mrs. Kaye.

26 THE INTERPRETER: She says  
27 okay if you take it.

28 THE COMMISSIONER: I'm sorry?

29 THE INTERPRETER: She says  
30 it's okay if you take it.





1 THE COMMISSIONER: Oh fine,  
2 well thank you very much, ma'am, and if you decide  
3 later on you need them, you tell us and we will give  
4 them back right away.

5 THE INTERPRETER: She's asking  
6 a very hard question now.

7 THE COMMISSIONER: Maybe I  
8 should have kept my mouth shut.

9 THE INTERPRETER: She said  
10 I told you how the people used to live around here  
11 long ago, how hard time it was and now she's asking  
12 you to tell her about your background, how it started.

13 THE COMMISSIONER: That will  
14 have to wait until my next trip to Old Crow.

15 Thank you very much, ma'am.

16 THE INTERPRETER: She said  
17 maybe by that time you come back, it will be too late,  
18 maybe she'll be gone.

19 THE COMMISSIONER: Well --

20 THE INTERPRETER: Well, this  
21 story that she's telling, she said she hope that a lot  
22 of young people would know about it.

23 THE COMMISSIONER: Thank you,  
24 ma'am.

25  
26 (SNARE MARKED AS EXHIBIT C-69)

27  
28 (SCRAPER MARKED AS EXHIBIT C-70)

29  
30 (WITNESS ASIDE)



1 WINSTON MOSES, Sworn:

2  
3 THE WITNESS: My name is Win-  
4 ston Moses. I was born and raised in Old Crow, and I  
5 am one of the many that is against this pipeline for a  
6 few reasons that you hear during my talk, but first of  
7 all, I want to talk about this -- the time when I used  
8 to work with the Department of Fisheries here in Old  
9 Crow.

10  
11  
12 THE WITNESS: This Department  
13 of Fisheries that I was working for, they were working  
14 for the government and of course they had the other  
15 fisheries, which they call F.R.B., Fisheries Research  
16 Board and they are from Winnipeg, and there was other  
17 people that was working, research work on this proposed  
18 pipeline route, we are doing research work.

19 Now you hear of how important  
20 these fishes, meat, berries and all these fruits you  
21 get off the land, well fish is very important to these  
22 people too.

23 Now, when you get this pipeline,  
24 there's a possible chance that we could have a break,  
25 or a leak. So sometime you get a leak that you cannot  
26 see with your eyes, or you cannot see from the air  
27 when you are travelling with a helicopter or with a  
28 small aircraft.

29 It might not be a large spill  
30 like you get in the Great Lakes, you get a big spill



1 at one shot, but this spill can do a great damage to  
2 fishes, whether they be adult fish or just spawning,  
3 they could be damaged. And there will not only be a  
4 spillage of oil, but they have many chemical substance  
5 which will be accidentally spilled or some time you  
6 use it, say maybe for compressor stations where you get  
7 a little left over and you don't need it and then you  
8 throw it away, well this also goes into the lakes,  
9 streams and some of them stay right on the ground.

10 Some of these chemical sub-  
11 stance are poisonous. If they get into the streams,  
12 they do damage to the fish, water fowl and also to the  
13 human beings who use that water for their own use.  
14 It also can do damage to fur bearing animals and bigger  
15 game like caribou, moose, which is a very important  
16 food to us. Maybe you would think to yourself, how  
17 would this become, but these animals, like I said,  
18 caribou, moose, they eat the vegetation.

19 Now, here is an example of a  
20 spillage, well it just scares me. A survey was con-  
21 ducted last February in Yellowknife, and the Yellow-  
22 knife resident, their air contained a great amount of  
23 arsenic poisoning, so the people were forbidden to use  
24 water from lakes and from the rivers nearby. This is  
25 due to carelessness of mines, for what I don't know,  
26 but it's the mine's fault. Now this would happen  
27 exactly the same if you had this little leak from the  
28 pipeline or a large bust.

29 I myself have few meat at  
30 home, caribou meat, matter of fact we got net out now



1 and I have whatever I wanted to eat, and I don't want  
2 to eat anything that's been poisoned, I don't want to  
3 eat anything that's been dead for some time, something  
4 that's fresh, that my ancestors have been eating for  
5 many and many of centuries before me.

6 Now, during the time I was  
7 working for the Department of Fisheries, these other  
8 bunch, F.R.B., they went and did their little experi-  
9 mental work down at Bluefish River, and you could find  
10 that on the map somewhere, probably 25 miles down river,  
11 During that time when they were going down to make  
12 this experiment, they took a helicopter and they had a  
13 45 gallon drum that they was going to dump whatever  
14 this was in there, into the river and to see what comes  
15 of it. And now me and one of the local boys who was  
16 also working for them, asked to go along with them just  
17 to see what they were going to do, but they didn't want  
18 us to go.

19  
20  
21 So after they  
22 did this experiment, they never said nothing afterwards,  
23 nobody knew what was inside that barrel and nobody  
24 knew what was the outcome of it and nobody knew what  
25 they were up to, and as a matter of fact I think they  
26 didn't get permission from the town council to go down  
27 and to do this experiment where they didn't even let  
28 them know that they were coming in to work in this  
29 area. Like the other fisheries, and the game department  
30 and the Renewable Resources who was working here, all





1 let us know what they were doing and what they were  
2 going to do, except for these people, and I wonder why,  
3 and they were working for Gas Arctic and maybe one of  
4 the Gas Arctic, if there's any of them here, can tell  
5 us -- I am listening.

6 Now, a little bit on the  
7 archaeological side of this, it is very important to  
8 our people, not only to the Northern Yukon Indians,  
9 but the rest of the Indians on the proposed pipeline  
10 route and also to the Indian people along the coast  
11 and down the Mackenzie. Now the archaeologists have  
12 found a trace of our ancestors which records as far  
13 back as 30,000 years, and that's right out in the Crow  
14 Flats and the surrounding areas. It's not only in the  
15 Crow Flats but it's also the Indian people on the coast  
16 here.

17 These traces are found at old  
18 gravesites, old villages, camps and where a trained  
19 archaeologist figure there was a camp there before.  
20 Also, a trained archaeologist can tell you all the  
21 information and the ages of our ancestors by these  
22 grounds, old gravesites, villages. There is a lot of  
23 unknown sites along this proposed pipeline route and  
24 if you push the pipeline through you will destroy all  
25 these things, and you would not know, and we would not  
26 know, what happened years back.

27 Now, I have a little picture  
28 here to produce to you if you care to see, just to back  
29 up my little say.

30 THE COMMISSIONER: I would like



1 to see it.

2 It's a picture of a scraper  
3 made from a caribou thighbone found in Old Crow Flats,  
4 dated 30,000 years ago, it is the oldest direct evidence  
5 of man in the New World. I would like to keep that,  
6 if I might, and that will be marked as an exhibit.

7  
8 (PICTURE OF SCRAPER MADE FROM A CARIBOU  
9 THIGHBONE FOUND IN OLD CROW FLATS DATED  
10 30,000 YEARS AGO MARKED AS EXHIBIT C-71)  
11

12 THE WITNESS: Maybe we  
13 didn't invent the wheel, but you would be amazed at  
14 what our ancestors used years ago to make their cloth-  
15 ing, their shelter with these tools they got by.  
16 I am really sticky on environment protection if this  
17 pipeline ever do go across, and I think laws should  
18 be more enforced and extra rules and regulations should  
19 be added onto this environment protection service.

20 Now, you have heard from the  
21 other people how important it is, this Crow Flat, to  
22 all animals, and I am pretty sure the caribou could be  
23 more seriously affected because of this pipeline. And  
24 the migration route of this caribou is very important  
25 to the people here in Old Crow, down at Alaska, Fort  
26 MacPherson and where people depend on this.

27 Now, in the recent years since  
28 the seismic crew came up here, and before that, we  
29 right here in Old Crow knows where the caribou is  
30 coming out and what time. Now you go to these routes



1 that used to be and the times that used to be, you go  
2 there and you don't see any. They are scattered all  
3 over the place, and I give you an example of one. In  
4 month of March of '74, I was over in Fort MacPherson.  
5 They have a highway built going there, and the people  
6 there told me that the caribou migrate through there,  
7 where they are working. Now because of that little  
8 activity, the people from Fort MacPherson have to go  
9 three, four days of travel in order to get some fresh  
10 meat to eat.

11 And the caribou that used to  
12 stay nearby Fort MacPherson is now you find way up in  
13 the hillsides and the mountain sides in Aklavik, which  
14 the people says used to be in Fort MacPherson. It's  
15 all vice-versa now just because of that little activity  
16 they got near Fort MacPherson.

17 And now if you keep this pipe-  
18 line out, we will have our regular migration route and  
19 at the same time, we will have something to eat. And  
20 also again fuel spills again. Fuel spills, spillage  
21 of fuel, it's going to have a great destruction of  
22 water birds in their habitat.

23 THE COMMISSIONER: Excuse me,  
24 you said fuel spills, Mr. Moses?

25 THE WITNESS: Yes, fuel spills.

26 THE COMMISSIONER: Yes, right.

27  
28 THE WITNESS: It will have a  
29 great destruction on water birds in their habitat, also  
30 muskrats and beavers because of the spill.





1 In conclusion, if you take  
2 all this away from us, we will have nothing, and if you  
3 keep that pipeline out, then we got something that we  
4 can still say is ours. Now you talk about jobs for  
5 the young people and for all other people but this job  
6 will last only until when the contracting is over and  
7 only the people that's been trained to run particular  
8 things will stay on. Where is that going to leave us?  
9

10  
11 That's all I got  
12 to say, but if you want to ask some questions, try  
13 to use simple words I could understand.

14 MR. VEALE: Winston, you  
15 have told the judge about the birds and the fish and  
16 the animals and what might happen to them. What if a  
17 camp of 800 men were put near Old Crow, what would  
18 happen then?

19 THE WITNESS: I didn't quite  
20 hear you?

21 MR. VEALE: I will say it  
22 again Winston, if they build the pipeline near Old  
23 Crow, they would have a large camp of men, 800 men near  
24 Old Crow. What would happen then?

25 THE WITNESS: Well if you have  
26 800 men near Old Crow, I think they should be just  
27 where they should be staying instead of wandering around  
28 all over town, because you can't judge a book by its  
29 covers. Because you never know what evil lurk in the  
30 heart of men. Out of that 800, they are not -- I bet



1 you can't find a dozen of honest men, I am pretty sure  
2 they are going to do some damage to Old Crow. Not only  
3 the men that work in the pipeline, but the pipeline  
4 itself is going to have an effect on the land, the  
5 animals and they are going to destroy people too.

6 MR. VEALE: Winston, what do  
7 you mean when you say that they will destroy people?

8 THE WITNESS: Well, an example  
9 is the little town just on the other side of this mount-  
10 ain called Inuvik. I was over in Inuvik even before  
11 it was even put up. It was called East Three in 1959  
12 when they were just starting to put up building frames,  
13 now it's called Inuvik. You get all kinds of people  
14 from down south, and the people before -- the people  
15 that part of the country over there, does not like the  
16 people they used to be. Now that since they got these  
17 people from down south, well they talked not only the  
18 big people, but also the small people too. They see  
19 do things that you are not supposed to do and they  
20 and they copy you.

21 Well when I said destroy, I  
22 mean they bring in booze. Well sure, I could go down  
23 and get it at the local liquor store, but then they  
24 get a little bit money hungry and they push bootleg whisky  
25 and you have to buy double the price, and it's not only  
26 that, they like to take advantage of the girls and the  
27 girls figure they are going to go out partying, and  
28 all this and then pretty soon their lives are wrecked.  
29 Not only booze do this, but there's a number of cases,  
30 and I don't think they are hidden, that's on drugs too



1 that's coming in. Pretty soon things get worse to worse,  
2 they are going to have organized crime.

3 Well I wants to thank Judge  
4 Berger here for coming up and listening to our little  
5 say.

6 THE COMMISSIONER: Thank you  
7 very much, Mr. Moses.

8  
9 (WITNESS ASIDE)

10  
11 THE COMMISSIONER: I think  
12 maybe we will stop for a few minutes and then hear the  
13 next witness, we will just stop for a few minutes.

14  
15 (PROCEEDINGS ADJOURNED)

16  
17 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

18  
19 THE COMMISSIONER: All right,  
20 we will call our meeting to order this afternoon and  
21 --

22 THE INTERPRETER: Judge  
23 Berger, this is Mrs. Elizah Kassie, and she says I  
24 haven't got very much to say but I just want to say a  
25 few words to you.

26  
27 MRS. ELIZAH KASSIE, Sworn:

28  
29 THE INTERPRETER: She says I  
30 haven't got very much to say but I just want to let you



1 know some of the old time stories that I remember my  
2 father said about the way the people lived in this part  
3 of the world.

4 I have seen many changes in  
5 my life on this land. When I first came here, even  
6 the land was different, and the willows on the river  
7 banks, a lot of places there was no willows at that  
8 time but now today I see there are a lot of willows  
9 grown and so I seen quite a bit of the changes on this  
10 land.

11 The river change in many  
12 places during her life, as she stayed in this land  
13 for a long time, she seen many changes in the rivers  
14 and also lots of growth of grass, she notice all that  
15 happen in her life.

16 She says my father he used  
17 to say, well there's not much animal that a person  
18 could get at the time of his life, but he says that  
19 whatever little animals that a person get, he's got  
20 something that is from the land. Lots of times in my  
21 days I seen when people had hard time, sometimes no  
22 food and many times I've seen that the dogs that,  
23 which they used very much in those days disappear on  
24 account of no food, they starve and so when they go  
25 around searching for food, they have to pull their own  
26 belongings, that's how that they go around, move  
27 around.

28 And when they move around  
29 searching for food, the men go out and the woman they  
30 move camp while the men are out hunting. Now, in the





1 evening when the men come back and when it's no luck,  
2 when they don't kill anything that day, they feel very,  
3 very sad.

4 She says this story that I'm  
5 telling you, it's a very old story. Now the stories  
6 that you have heard here in the Inquiry, some of them are  
7 not as old as the stories that I'm telling you now  
8 because these are the stories that she heard from her  
9 father when they had no food in those early days, it  
10 was really a very hard time.

11 She says especially when  
12 people had to go out in the cold weather, hunt for food  
13 and the womans behind always wonder what kind of news  
14 they would receive from their men that are out hunting,  
15 and when they come back and find no food, it's a really  
16 a sad story for the people at the time. Sometimes  
17 when they go out hunting, they get in luck, they kill  
18 something and then the womans, they would expect them,  
19 the time of the evening, the evening of the day when  
20 they are coming back and when they hear that they have  
21 killed some animals, for food, everybody is very happy.

22 So this is the story of her  
23 dad and she remembers them stories, so at the early  
24 days when her dad grew up, she said that there was not  
25 very much around this part of the world. There's lots  
26 of places there was not even no willows and not much  
27 timber, but -- and then people have very hard time to  
28 get anything to eat because it was so bare, nothing  
29 -- no timber or no willows, no nothing and therefore  
30 there was no animals too.



1                               She remembers very well when  
2     the people used to kill caribou by these corrals or  
3     fence that they used to make at that time, but sometime  
4     people had hard time to drive these animals into these  
5     corrals, that when they do, it's really exciting to see  
6     all these animals go into this fence because that's  
7     the only way that -- that was the only way that they  
8     used to get the animals. When this happen, when the  
9     animal gets into the fence, well they set a lot of  
10    snares through these fence and also shoot them with  
11    bow and arrows, then everybody is happy because they  
12    get lots of food.

13                            When a man has got a fence,  
14    then everybody is happy because they get lots of food.  
15    This corral or fence that they built to catch the  
16    caribou in, it's only good when the caribou is migrat-  
17    ing, like in the fall or probably in the spring too,  
18    that's the only time it's good, it works, and in  
19    between that, when the caribou pass, well the fence  
20    and the corral are no more good and therefore when the  
21    cold weather come, they have to try and follow the  
22    caribou, go where they could get meat.

23                            In the winter they try and  
24    follow the caribou around and look for the animal and  
25    then when the warm weather come and spring break-up,  
26    well then they go to places where they know they could  
27    hunt fish and put up fish, for the coming winter.  
28    She says too they didn't have nets like we do today,  
29    they generally fish by fish traps. They put in traps  
30    where they would get the fish and there was always



1 somebody watching the trap and once they see that the  
2 trap gets filled up with fish, then they would close  
3 the door on this trap so no fish would get out, and that  
4 is way they used to catch their fish.

5                   There's not only just one  
6 family would live on this fish trap, there is several  
7 families would live on one fish trap and when there's  
8 a good run of fish, they catch a lot of fish and they  
9 would divide this fish just the same as they would  
10 divide the caribou that they get in the corrals. Later  
11 on, there was no white people around this part of the  
12 world and so any time, this is after they learn about  
13 the white man coming in, that they would get  
14 their supply mostly from the whalers at Herschel  
15 Island.

16                   During summer they hunt fish  
17 and then in the fall, this is year after year, they go  
18 on for years and years. During summer they have fish  
19 and then in the fall when they start the  
20 migrate of the caribou, well they go up to the foothills,  
21 they generally have these corrals up in the foothills,  
22 and that's where they would go to hunt their meat.  
23 A lot of times they have to wait a long time before  
24 they would spot the caribou coming, but in the mean-  
25 time they have got to have something to eat and so  
26 they used to go out and hunt squirrels, that's what  
27 they live on when they couldn't see no caribou. And  
28 sometimes they would get fish around the mountain,  
29 greyling mostly. Once they spot the caribou coming,  
30 well everything is good then.





1 MR. VEALE: Mrs. Kassie, what  
2 do you think about the pipeline?

3 THE INTERPRETER: She says  
4 when she hear about the pipeline, it make her fright-  
5 ened, just the same as it would frighten the animal  
6 that is in the land, so she don't feel very happy about  
7 it.

8 She says when she see white  
9 people trying to help the native people, it makes her  
10 very, very happy. She says when I was a kid, she used  
11 to remember that her father had a good spot on the  
12 Crow Flat where there was two big lakes and the cari-  
13 bou migrate through that spot where her father used to  
14 be. Big lake.

15 THE COMMISSIONER: We had  
16 better get back to translating here.

17 THE INTERPRETER: She said she  
18 used to remember that when the caribou migrate between  
19 these two big lakes, that the caribou cross between these  
20 two big lakes and that's where she remember that her  
21 father used to kill the caribou/<sup>by</sup>making a spear, that's  
22 how that her father would get his animal.

23 My father had a brother, my  
24 father had a brother and there was another woman there  
25 at the time and she say we all work hard to get the  
26 caribou together. She says I alays tell old time  
27 stories, she says that's why I have to tell you all  
28 these old time stories. This is what I've seen done  
29 many years ago, that her father kill many of these  
30 animals, both -- I thought I would let you know.



1 She says her father's name  
2 was Charlie Netro.

3 This is all she had to tell  
4 you, Judge.

5 THE COMMISSIONER: Thank you,  
6 Mrs. Kassie.

7  
8 (WITNESS ASIDE)

9  
10 JOE NETRO, Sworn:

11  
12 THE INTERPRETER: Judge Berger,  
13 I am very happy to be here to talk with you. Joe  
14 Netro. I am very happy for your visit here, Judge  
15 Berger, because you come here to help us people here,  
16 you and the staff that you have with you, you are doing  
17 a lot for us here and I want to thank you very much for  
18 it.

19 He would like to say that by  
20 meeting one another, that all what we are doing for  
21 one another, it will really come out to show that we  
22 are trying to help one another. There's much talk  
23 about this pipeline, proposed pipeline coming through  
24 the land in which we have been living for many years.  
25 We know that it's good for the people outside, but  
26 still I don't feel very happy to see it go through our  
27 land here in the north.

28 He said the reason why he  
29 doesn't like this pipeline to come through the land in  
30 which the people are living here, especially on the Old



1 Crow, is that there are many lakes which is good to the  
2 people. There are many rivers where the fish run, it's  
3 good for the people, and this is what is worrying him,  
4 it's going to stop, it may ruin the lake on which the  
5 fish are, and also they will ruin the river on which the  
6 fish travel.

7 Now, that's about all that I  
8 would like to say on that matter. I would like to bring  
9 up another subject at this time. Now, he said I  
10 remember back 1904 very well. Now at that time, the  
11 people didn't have a very easy time to make their living  
12 out of the land. Now, in those days, the people lived  
13 different to what they are living now. He remember  
14 a lot of time when people went out to hunt or to trap,  
15 they didn't have no camping outfit, no tent and stove.  
16 They went out and had this open fire, as we call it,  
17 open camp, that's the way the people used to live at  
18 that time.

19 He said since 1904, he  
20 remember all his life, there were many times that they  
21 didn't have an easy time, but he says I can't tell you  
22 all about it right now. Old Crow established here  
23 since 1912. The first building that was built is down-  
24 town here is still up, 1912. In 1920, he went down to  
25 Fort Yukon and that is where that he met his wife.  
26 From there, he went up a river which was called the  
27 Black River, he went up there mostly to trap. That  
28 winter when he went up to Black River, he trapped and  
29 he caught 150 marten. In the spring, when he made his  
30 beaver hunt, he got 70 beaver too. With that money



1 he got that winter, he bought an outfit and started a  
2 store here in Old Crow. And then from here, I went up  
3 the Porcupine by -- way ahead of Porcupine to trap.  
4 There's a place called Johnson Creek which will be  
5 shown on the map there, Johnson Creek up the Porcupine,  
6 that's where he got, as far as the Johnson Creek.

7 From there he went up the  
8 river and came to a place where it's called the White-  
9 stone. He also made a little outpost, trading outpost  
10 there, where he trapped from, up the Miner River,  
11 that's where he trapped. Charlie Abel was with him  
12 then. To go over to the head of greyling, he left  
13 that place up in that area because he had a very bad  
14 luck with his family, so in that way he had to move  
15 back away from there.

16 So after he came back, he  
17 opened up store here again in Old Crow. He had the store for  
18 a number of years, he said he had a stroke which made  
19 him -- well he had a stroke and then he said he sold  
20 out to the Co-op, who are running the store now. They  
21 are happy that other traders that have worked in this  
22 area, but he said after they make, after they make  
23 their money, they go out and then they don't show up  
24 again, but he says with him, he says the reason why he  
25 sold out to this Co-op, he was thinking ahead for their  
26 children. He said if I sold out to the Co-op, it will  
27 be doing good to the community for them now and also  
28 for their children.

29 Now, he says, I'm 77 years  
30 old. He says I don't think I can start another trading





1 post again.

2 Judge Berger, this is all I  
3 have to say now, and I want to say thank you again for  
4 your visit.

5 THE COMMISSIONER: Thank you,  
6 sir.

7 THE WITNESS: Thank you.

8  
9 (WITNESS ASIDE)

10  
11 PETER CHARLIE, Sworn:

12  
13 THE INTERPRETER: Judge Berger,  
14 I just want to tell you some of the old time story  
15 again. I want to tell you about how my father raised  
16 me up. In the early days, sometimes when there's no  
17 animal to get, it really make it a hard life. He seen  
18 that many times in his days when they can't get nothing  
19 to eat sometime for a long time and still they had to  
20 work hard and it really make life miserable.

21 Sometime they are moving along,  
22 they hear the hunters shoot. Everybody feels happy  
23 because that shooting they hear means that they would  
24 have something to eat in the evening. When they used  
25 to go out hunting for a long period of time, if  
26 there's no sign of animal and when someone see any sign  
27 of the animal or caribou, I should say, well they would  
28 all gather back at the camping place and they would  
29 have meeting about it, someone would tell the others how  
30 they should go about hunting that animal sign that was



1 seen a day earlier. And then they would go out altogether  
2 and sometimes they make a kill, and again they would all  
3 come back in about sharing with everyone in the camp,  
4 and this is something that they always did. They don't  
5 want to overlook any person that is unable to get any-  
6 thing for themselves.

7 Sometimes when people had  
8 hard time, he said they are trying to move camp, the  
9 dogs that they used get so weak sometimes, the dogs  
10 would give up on them, and lots of time they don't feel  
11 very happy about it. At the same time they would pull  
12 the dogs along. He said he was raised up up in Lapeer (?)  
13 House, he said he remembers there were three houses.  
14 That was after the Hudson Bay have moved out of there,  
15 he said for windows he said he remembers they used  
16 caribou skin. In those early days when the company,  
17 that was the Hudson's Bay, had their store there, it was  
18 mostly to buy meat, that's what -- that is the reason  
19 why they had the store there, and when they had to buy  
20 grease so that they would use it for lamps.

21 He says the people used to  
22 travel back and forth once in a while, and like in the  
23 fall after freeze-up, the caribou would migrate up  
24 around Driftwood River, and they crossed the river  
25 there, and when the caribou does that, that means that  
26 there's going to be caribou amongst the timber country.  
27 And when they hear that, it makes the people very  
28 happy that the caribou have migrated into the timber  
29 country.

30 Now, this migration that I'm



1 telling you about, happened many, many years ago. Now  
2 he says today, the caribou still migrate the same way.  
3 Every fall, my children go up the river and they get  
4 the meat from where these caribou migrate. Now today  
5 I hear about the pipeline that is going through, it's  
6 going to spoil all these routes where the caribou  
7 migrate. He says it really makes me sad to hear about  
8 the pipeline.

9 He said long time ago they  
10 used to be a lot of rabbits and ptarmigans which they  
11 depended on very much. He says even that is not too  
12 much today, not much rabbits nor ptarmigans. The  
13 white man live mostly on the things that they grow in  
14 their garden, but with the Indians it's not like that.  
15 The native have to go out and try and get what they need  
16 out of the land they have been brought up. When a  
17 native doesn't get what he loves to eat, he don't feel  
18 very happy.

19 He says the fish here are not  
20 plentiful, he said they just run at times, and  
21 several times it's hard to get what a person would like  
22 to get on fishing.

23 This is all I have to say now.

24 THE COMMISSIONER: Thank you  
25 very much, Mr. Charlie.

26  
27 (WITNESS ASIDE)  
28  
29  
30





1 SARAH ABLE, Sworn:

2  
3 THE INTERPRETER: Mr. Berger,  
4 first of all before I say anything, I would like to  
5 tell you how thankful I am, or we are, for your visit,  
6 not only to here but to many other places that you have  
7 been and you are going to be, and I once again I want  
8 to thank you very much for your visit to the people of  
9 Old Crow and to listen and to hear what we have to say.

10 You know a lot of these old  
11 time stories by now by the old people telling you, and  
12 I also live in this part of this land all my life but  
13 I won't tell you too much of the old time stories but  
14 mostly the way I grew up and also the way I've lived  
15 in this part of the world, or country, land.

16 Now, when I was just young,  
17 I became an orphan and a person by the name of Peter  
18 Moses raised me up. He was a good man. He went out  
19 hunting all the time and whatever he got on his hunting  
20 trips, he always share with everyone, especially the  
21 poor people that can't get their -- they can't go out  
22 to hunt. I was raised at Rampart House in Alaska,  
23 and it is only a day trip, probably a day trip from  
24 here.

25 Now, the Yukon is not very  
26 big, as I mentioned Rampart down here which is just a  
27 day trip, that's where the boundary is. And you go up  
28 the river and the mountains that you see in between  
29 here and MacPherson, there is the boundary line again  
30 between the Northwest and the Yukon, so in that way we



1 see that this land is not too big.

2 Now, she says I have told you  
3 about how big the Yukon Territory is, it's not a very  
4 big land and like we have the Crow Flats here which is  
5 a very important part of this Yukon land for everyone.  
6 It's a good place, it's a real good place for everybody  
7 here especially in Old Crow.

8 Now, we hear about this pipe-  
9 line coming through this land in which we live. She  
10 says every time what the government want to do in our  
11 land, he does it. And we know that the government is  
12 into this project, so we believe that it's going to go  
13 through whether we like it or not, but while it's not  
14 up yet, we want to say our little part how we feel,  
15 and that is the reason why we are talking with you  
16 today. If they want to put in the pipeline, we can't  
17 stop it, but we like to see that they change the  
18 route of the pipeline, put it some other place where  
19 there's nobody, that make a livelihood out of this  
20 land, put it some other places, not where people are  
21 making their living from.

22 Now there is not too many people in Old Crow  
23 that are the adults, but there are many young people,  
24 there is more young people than the grown-ups, and in  
25 that way we know that in few years' time there is going  
26 to be a lot of people, and that is the reason why it's  
27 for our young people that we are talking with you at  
28 this time.

29 Now this talk of the pipe-  
30 line has been going on for quite a while now, at least



1 two years around here. We, the people, have lived in  
 2 this part of land for many years. Now, it's not too  
 3 easy for the younger people to live the way that the  
 4 older people have survived in this part of the land.  
 5 In the older days, they went out and at least got some-  
 6 thing like caribou or ptarmigan or rabbits, because  
 7 they knew how to get it, but today the younger people,  
 8 they wouldn't be able to survive so easily as the older  
 9 people did in years past.

10 Because we talk so much of  
 11 the pipeline now-a-days, and because we say we don't  
 12 want the pipeline through, one thing I don't like to  
 13 see it happen that we make bad friends on account of  
 14 the pipeline.

15 Now Judge Berger, the other  
 16 day when you first came here, you said that you want  
 17 to hear the people and to know what they have in mind  
 18 to talk about. She heard that and she has been think-  
 19 ing about it and that is the reason why that today she  
 20 is talking to you, and when we come to the table here,  
 21 we take a hold of the Bible and we believe that we must  
 22 tell whatever is right after we make, after we get  
 23 sworn in.

24 Now, the reason why the people  
 25 don't want the pipeline which they have been thinking  
 26 about, is not because it's our land and when she says  
 27 our land, it really means mostly the native land. Now,  
 28 the white people are going to come into it, and by  
 29 many white peoples coming into the native land, there  
 30 are going to be lots of problems, lots of trouble and



1 especially with the young people. And this is what  
2 the older people are worrying about now, and that is  
3 why they are talking with you. I'm worried about how  
4 this place is going to be. It's not a very big place,  
5 and then if it get overcrowded with people, and this is  
6 what is going to bring a lot of problems, and because  
7 of getting too many people into a small place, it will  
8 make trouble for the people, and this is what is  
9 worrying me.

10 We don't want to be -- we want  
11 to be friendly with everybody, not to make bad friends.

12 Now, Judge Berger this is  
13 about all that I would like to say. I would like to  
14 say more but this is what -- this is about all that I  
15 would like to say because whatever I have said now,  
16 I know will help you and the people that I have talked  
17 for. And here in our little town, we have a nurs-  
18 ing station, the schools and a minister, a church and  
19 many other people that is helping us. And as I close  
20 my little talk, I know that you are visiting many  
21 places, you are going to visit many different kinds of  
22 people and in this way I know that you need guidance,  
23 and so I am not ashamed to wish you God's help in  
24 all your travels in all the way you meet different  
25 kind of people. She says I wish you God blessing in  
26 all your journeys as you go along visiting to help  
27 the people.

28 THE COMMISSIONER: Thank you  
29 very much, Mrs. Abel.

30 THE INTERPRETER: I may come





1 back tomorrow and talk some more.

2

3

(WITNESS ASIDE)

4

5

6

7

8

9

10

MR. VEALE: Judge Berger, we have a statement from John Russell who did pipeline research for some time in Old Crow, and he has sent a letter up to Mr. Charlie Peter Charlie with a statement, and I was wondering if Mr. Nukon could read it in at this time.

11

THE COMMISSIONER: Yes.

12

13

MR. VEALE: I don't think it's necessary to translate it.

14

15

16

17

THE COMMISSIONER: Well this will be received as an unsworn statement on the same basis as the unsworn submission are received by the Inquiry from many persons all over Canada.

18

19

Go ahead, Mr. Nukon, read Mr. John Russell's statement for us.

20

21

22

23

MR. NUKON:  
a brief presented to the Berger Commission Inquiry to the Mackenzie Valley Pipeline, by John H. Russell, Box 68, Waterton Park, Alberta.

24

25

26

27

28

29

30

"Mr. Chairman, ladies and gentlemen: It is an honour to speak at this hearing on behalf of the beings of this earth concerning the discussion as to whether or not the MacKenzie Valley Pipeline will be constructed. I have two points that I wish to be



1 considered by the people involved in  
2 making the above discussion.  
3 The first comment concerns abandonment.  
4 If we are to be concerned about the  
5 environment during the relatively  
6 few years of construction and main-  
7 tenance, we must also be concerned  
8 about the hundreds of years after  
9 abandonment. It is very possible  
10 that the cost of abandonment will  
11 be greater than that of construct-  
12 ion in either monetary or environ-  
13 mental terms. That is the cost of  
14 the physical removal of the pipes  
15 and the reclamation of the right-  
16 of-way could be as great as the  
17 construction and maintenance  
18 depending on the methods available  
19 at the time.

20 Alternately, if the pipeline  
21 is left in place, the potential  
22 damage to the environment over the  
23 next few hundred years is much  
24 greater than could occur during even  
25 the worst construction and mainten-  
26 ance method over the expected 50  
27 year period.

28 If left in place, the pipeline  
29 will eventually thaw out and float  
30 to the surface, where it crosses



1 terrain other than bedrock or gravel.  
2 During summer such a situation would  
3 be both a barrier and animal trap as  
4 the two or four foot diameter round  
5 and smooth pipe  
6 sits in a wide muddy ditch with un-  
7 stable sides. During winter the  
8 exposed pipes will create a low but  
9 smooth round and alien escarpment  
10 on its windward side and a drift  
11 on the leeward side, again creating  
12 a barrier and or possible source of  
13 injury to terrestrial animals of any size.

14 The above could quite obviously  
15 precipitate a radical change to  
16 the animal populations which we have  
17 spent a great effort to avoid. If  
18 you wish further details on such a  
19 phenomenon, I will gladly attempt to  
20 provide them. It is extremely import-  
21 ant that an estimate of the cost of  
22 abandonment be included when

23 considering the total cost of the  
24 pipeline.

25 My second comment concerns  
26 socio - economics of which there has  
27 sadly been a glaring lack of study.  
28 It occurs to me that the people in  
29 southern Canada are being very  
30 hypocritical. We say we will fill





as many permanent jobs created by the pipeline as possible with natives. Obviously we are also saying then that we see no resource for them but eventual assimilation into the culture of western society. Our present culture happens to require a great deal of energy and promotes high population densities.

If the people of northern Canada are going to go the course of those of southern Canada, they are going to need all the petroleum resources in their land. We, however, want them to give it to us now when they are in less need of it and yet we are not looking at the fact that if they become like us, they will eventually need every calorie of energy source in the land they are on can produce.

I would like to conclude by saying I think it would make much better sense to take the money required for building the pipeline and invest it in developing ways of changing our culture to one which reduces or eliminates the great and increasing demand for energy. Such a culture could be as rich and creative as



the present one, if not more so.

Will the Mackenzie Valley pipeline become a reality? Please keep in mind when making

your decision, there is an endless variety of alternatives to that of moving energy from the north to the south.

I thank you.

John Russell".

THE COMMISSIONER: Mr. Veale, you're not asking that Mr. Russell's statement be translated, I take it?

MR.VEALE : That's correct, sir.

THE COMMISSIONER: Would you mind telling me what Mr. Russell's association is with Old Crow?

MR. VEALE: Just give me a minute Judge, I have got a little note on him here. He made a great deal of friends when he was in Old Crow. He was working for the Renewable Resources, I believe, and studying the actual caribou.

THE COMMISSIONER: Well renewable resources was then working for Arctic Gas, wasn't it?

MR. CARTER: That's correct.

THE COMMISSIONER: Mr. Carter says that they were.

Well maybe I am asking the



1 wrong man. You are still looking through your notes.

2 Can you tell me, Mr. Carter  
3 or Mr. Rowe, how long Mr. Russell was here and in what  
4 capacity he was employed by Renewable Resources, and  
5 so forth? His letter has been read and -- are you --

6 MR. CARTER: Mr. Rowe will  
7 attempt to give that answer.

8 THE COMMISSIONER: Would you  
9 just come forward and take this mike and tell us, Mr.  
10 Rowe?

11 MR. ROWE: Judge, Russell was  
12 employed by Renewable Resources Consulting out of  
13 Edmonton in the initial stages of their caribou work.  
14 His terms of reference were at that time a study of--  
15 primarily the study of the migratory patterns and  
16 some experimental disturbance studies on the Porcupine  
17 caribou herd.

18 He also did work on large  
19 mammals, a little bit of the fur bearer research which  
20 was done in the Old Crow Flats. He works for Renew-  
21 able, I'm not exactly sure but I think it was over  
22 the period of two years, probably in 1971-72 or '72-73,  
23 in that period, and he was working primarily out of  
24 Old Crow at the time.

25 THE COMMISSIONER: What is his  
26 particular expertise, field of expertise?

27 MR. ROWE: Wildlife biology.

28 THE COMMISSIONER: Thank you  
29 very much. That statement will be marked as an exhibit  
30 and will form part of the permanent record of the



1 inquiry, and in view of what has been said about Mr.  
2 Russell's involvement in the study of caribou in Old  
3 Crow, I'll ask that Commission Counsel, Mr. Scott,  
4 consider calling Mr. Russell as a witness at the formal  
5 hearings in Yellowknife. The secretary will make a  
6 note of that and bring the matter to Mr. Scott's atten-  
7 tion.

8 Mr. Russell, I take it, is no  
9 longer with Renewable Resources.

10 MR. VEALE: That's correct,  
11 Judge, he's now in Waterton, Alberta.

12 THE COMMISSIONER: Working for  
13 the Government of Alberta?

14 MR. VEALE: I believe at this  
15 time that he's not working, but he's no longer working  
16 for Renewable.

17 THE COMMISSIONER: Well it may  
18 be that commission counsel will wish to call him. I  
19 take it that Arctic Gas may or may not decide to call  
20 him at Yellowknife, so we --

21 MR. CARTER: Mr. Rowe tells  
22 me that he is retained from time to time by Renewable  
23 Resources.

24

25 (STATEMENT OF JOHN H. RUSSELL MARKED AS  
26 EXHIBIT C-72)  
27  
28  
29  
30





ROSIE KAYE,  
Sworn:

THE COMMISSIONER: I understand that you are Rosie Kaye and that you want Mr. Nukon to read your statement, is that it? Do you mind telling me how old you are?

THE WITNESS: 24.

THE COMMISSIONER: Fine.

Go ahead, Mr. Nukon.

MR. NUKON: Statement from Rosie Kaye for Judge Berger hearing. "Since the land claims meeting is very soon, I think the important thing is to keep the pipeline out. I don't want the pipeline to come through our land. The land is the most important to our people. If the pipeline comes through they will ruin our land and our people. I want to keep our life the way we are living it today and also to keep our little town the way it is now.

I am speaking for myself and I am sure most of my people feel the same way too."

THE COMMISSIONER: Thank you very much.

Are you asking that that statement be translated? That statement by Rosie Kaye will be marked as an exhibit and made a part of the permanent record of the Inquiry.

(STATEMENT OF ROSIE KAYE MARKED AS EXHIBIT  
C-73)



1 THE COMMISSIONER: I think we  
2 will have one more statement or one more witness, Mr.  
3 Veale, whatever --

4  
5 STEPHEN FROST, Resumed:  
6

7 MR. VEALE: Judge Berger, I  
8 don't think we will have this matter translated. Mr.  
9 Frost has indicated he doesn't require it.

10 Your name is Stephen Frost  
11 and you have already been sworn to tell the truth in  
12 this hearing, is that correct?

13 THE WITNESS: Yes.

14 MR. VEALE: Are you permanently  
15 employed in Old Crow?

16 THE WITNESS: Yes, I am  
17 employed steady here.

18 MR. VEALE: What do you do?

19 THE WITNESS: I work, sort of  
20 act as an agent for the airline that comes in here, and  
21 I work with the nursing station here as well.

22 MR. VEALE: What about --  
23 you are fully employed, do you also do hunting and  
24 fishing?

25 THE WITNESS: Yes, I hunt and  
26 fish all my life and I think if I had a 24 hour job I  
27 would still hunt and fish.

28 MR. VEALE: Thank you, and  
29 would you tell the Judge where you hunt, for instance,  
30 start by seasons and start with the spring.



1 THE WITNESS: Start by seasons,  
2 well we start the spring of the year, say around the  
3 first part of March we start trapping rats. That was a  
4 few years ago, like I can't go out now from when the  
5 season opens til it closes, because I just have so much  
6 holiday and that's it, but we hunt rats in the spring  
7 of the year. After we come down from Crow Flats then  
8 we start setting fish nets --

9 MR. VEALE: Just let me inter-  
10 rupt you there, Stephen. Did you start to -- did you  
11 go out to the Flats this year?

12 THE WITNESS: Yes, I was out  
13 to the Flats this year.

14 MR. VEALE: How many rats did  
15 you hunt?

16 THE WITNESS: I got about 500.

17 MR. VEALE: Okay, go on then  
18 about the fish.

19 THE WITNESS: Yes, then we  
20 fish all we could in the summer and towards fall when  
21 the big run come, everybody is out there on the river,  
22 pretty near all hours of the day trying to prepare food  
23 and dog food for the winter.

24 MR. VEALE: Do you have a fish  
25 net out on the Porcupine River now?

26 THE WITNESS: Yes, I have got  
27 a fish net out now.

28 MR. VEALE: Do you know  
29 approximately how many fish nets are out at this time  
30 of the season?





1 THE WITNESS: Approximately,  
2 I don't know, not very many. Like I said, this is about  
3 the poorest time of the year is now and maybe there  
4 would be 15, 20 nets out.

5 MR. VEALE: Okay, go on then.

6 THE WITNESS: Of course when  
7 freeze-up come, we start setting a few traps for fine  
8 fur. I'm not a young man, and I'm not real old, I'm  
9 sort of in between, I guess --

10 THE COMMISSIONER: I know the  
11 feeling.

12 THE WITNESS: Yes. I have  
13 trapped right from the Alaska-Canadian border at differ-  
14 ent times, right to the headwaters pretty nearly the  
15 headwaters of the fishing branch, the Whitestone River  
16 and the Miner River. I was the last person that hunted  
17 beaver the spring before last. I went by boat from  
18 Old Crow, I would guess probably about 700 miles al-  
19 together. I went up the Whitestone River, up the  
20 Fishing Branch and up the Miner River. So that proves  
21 to you that we still use pretty nearly all of the  
22 country yet, even though we have jobs, some of us  
23 travel a long way and we think this country is very  
24 important to us.

25 MR. VEALE: Stephen, I wonder  
26 if you would just tell Judge Berger about what happened  
27 when the air strip was put into Old Crow?

28 THE WITNESS: We got an air  
29 strip.

30 MR. VEALE: That's good.



1 THE WITNESS: Well, before the  
2 air strip, as you could see probably since you were here,  
3 there is many sand bars out on the river and that's  
4 where the airplanes used to land, and it was pretty  
5 hard on the airplanes at different times of the year,  
6 we couldn't get mail, so on and so forth. The people  
7 get sick sometime and the ice was breaking up, couldn't  
8 get airplanes in, so the people here in Old Crow, we  
9 asked for an air strip. It was important that we have  
10 an air strip here in Old Crow, so we tried hard and we  
11 were lucky that they give us one but Like I say, we  
12 tried hard, we kept after them and we kept after them,  
13 and we were thinking in terms of maybe a strip, the  
14 biggest airplane the DC-3 or something like that.

15 We are not against the people,  
16 the person that's working here now, he's doing a good  
17 job on it, but sometime we think just what the heck is  
18 going on. We shouldn't kick about it after we got it,  
19 but now we got a 52 or a 5,500 foot air strip, and it  
20 pretty nearly cuts off one end of the town right to  
21 another, because we are on a point, like, we are  
22 blocked off from the mountains. That's not a real big  
23 problem. That's one of the problems.

24 Every year since then they  
25 have been working on it and working on it, and widening  
26 it and lengthening it. Last fall they had some survey-  
27 ors came in and they were going to survey it out 700  
28 feet wide or something like that, and a couple of the  
29 other guys and myself just noticed these people start-  
30 ing to do this so we went to them and we asked them



1 what was their jobs and what were they doing, so they  
2 told us, and we didn't think it was a good idea because  
3 it was cutting off some of the houses pretty nearly up  
4 town and some of the dog yards. It was cutting off  
5 some of the school yard right behind here where the  
6 kids play and all this, so we had to go and try to put  
7 a stop to it by seeing different people and it ended  
8 up that they didn't do it, so that's my story about the  
9 air strip, I guess.

10 MR. VEALE: If they had asked  
11 you where you wanted the air strip, where would you  
12 have wanted it?

13 THE WITNESS: Well I think  
14 they asked me, but what's the use asking me, they don't  
15 listen to me anyway, but I don't think they should ask  
16 me, I think they should ask the town. But I just  
17 remember one person coming to me and say, where do you  
18 think the air strip should go if we put one here? I  
19 suggested that it goes on top this hill between the  
20 bench of this hill and the mountain, there's a nice  
21 long level place there. I said if you put a small air-  
22 strip there and if someday, for some reason we have to  
23 make it bigger, there's lots of room there. That was  
24 my saying, and I don't know what the rest of the people  
25 say, but all at once we know -- before we know it, they  
26 were putting it right behind town here.

27 And it's pretty hard, because  
28 we used to have trails to the graveyard, a trail to the  
29 mountain where people hunt, trap, different things,  
30 trails down this way for older people to set rabbit



1 snares and that's all cut off now. People used to ski,  
2 we still ski here but we can't ski across on rocks and  
3 different things like that. My complaint against that  
4 is just that I think they should have left a little  
5 space on each side and fixed a nice little trail there  
6 so we could still use it like we did before.

7 MR. VEALE: Is there a law,  
8 a regulation saying that you can't cross the air strip?

9 THE WITNESS: Well, I don't  
10 know if we should even mention that part, because I  
11 don't think that's going to stop us anyway because  
12 there is no other way. I am always going to cross it,  
13 let's put it that way.

14 MR. VEALE: You were talking  
15 about how people still hunt and fish and trap. Can you  
16 just tell Judge Berger, just name the families in town,  
17 as many as you can think of, that have dog teams still.

18 THE WITNESS: Well, that's  
19 pretty hard. Pretty nearly everybody still got dogs,  
20 we don't use them exactly the way we used to use them  
21 long ago but I think we can never go without dogs,  
22 that's one of the reasons for having dogs. We still  
23 haul wood and ice and some people that have part time  
24 jobs, they still go and trap, and so I would say pretty  
25 nearly everybody still have a few dogs and some of us  
26 have got a little too many, like myself.

27 MR. VEALE: How many dogs do  
28 you have?

29 THE WITNESS: Oh, just a dozen.

30 MR.VEALE: Do you still use





1 your dog team?

2 THE WITNESS: Yes, I -- well  
3 I am just starting up a new team right now, but I have  
4 always had dogs and these I got right now are just pups  
5 most of them and I'll be using them this winter.

6 MR. VEALE: Stephen, if the  
7 pipeline goes through near Old Crow, there will be a  
8 large camp of men, possibly 800 men, maybe 10 to 15  
9 miles from Old Crow. Do you have any comments on that?

10 THE WITNESS: Well, I guess  
11 this is the main reason you're here, to hear what us  
12 people have to say and our feelings about this. We  
13 are not against the white people, or anything like  
14 that. We like to be nice to people, but I think I men-  
15 tioned it yesterday, this is one of the last places,  
16 one of the last places pretty nearly in the world that  
17 is kind of unspoiled. I mean, we are not the best  
18 people, we do things too, but there's no roads around  
19 and we don't smell oil all the time and different  
20 things like this, and I think you heard quite a few  
21 people talking and the name of the game is we just don't  
22 want the pipeline and we need help, like yourself, to  
23 try to help us not to get the pipeline.

24 Now, you are asking me my  
25 feelings about this camp too close to town, well I  
26 give my reasons why I feel like this camp wouldn't do  
27 Old Crow no good. I am sorry, maybe these words are  
28 a little bit too strong but -- or not strong enough,  
29 I don't know. One reason is alcohol. We drink, of  
30 course we drink, but it will be twice as bad. I never



1 bought a bootleg bottle in my life, and I imagine if  
2 too many people come from anywhere, I'll have to do it,  
3 I don't have to, but I mean it will happen. I never  
4 seen drugs in my life, I have heard an awful lot about  
5 it and I got kids and I got feeling and I think about  
6 other people and their kids. Things like this.

7 I listened today to a young  
8 fellow talking and he brought these same things up. I  
9 think he's thinking about something like venereal  
10 diseases, it's going to come to the country and we're  
11 just not -- we're just not too happy about seeing the  
12 pipeline come through. We don't want it.

13 MR. VEALE: Stephen, maybe  
14 you would tell the Judge, I think you are the chairman  
15 of the school committee in Old Crow, and maybe you  
16 could tell him about how that runs.

17 THE WITNESS: Well, I can't  
18 really tell you everything about it, but I am the chair-  
19 man on the school committee now. It started about  
20 four or five years ago, it was run, I think, a school  
21 advisory board, and now it's called the School Committee,  
22 of which we -- I don't know, we have a little more  
23 power, I think, or a little more -- I guess that's it,  
24 a little more power and we find in Old Crow that it's  
25 working really good. The teachers work good with us  
26 and we work good with them and we try to make sure  
27 that the kids have schooling. If they want to go,  
28 they can go as far with schooling as they want, but  
29 beside that we like to teach our own language and we  
30 have a fellow, Charlie Peter Charlie here, that teaches



1 language. We have a young lady in town who teaches  
2 language, and different people are working on woodwork  
3 and beads and so on and so forth, and we find that it  
4 just fits in very nice and it will help us out in the  
5 long run.

6 MR. VEALE: What grade does  
7 the school go to here, like when do the children have  
8 to leave?

9 THE WITNESS: I think it goes  
10 up to Grade 9 here, then they leave and they go to  
11 Whitehorse from here.

12 MR. VEALE: How does that  
13 affect children, going to Whitehorse?

14 THE WITNESS: Well, I don't  
15 know, sometime not so good, I guess, because they see  
16 a lot of things that -- it's sort of a different life,  
17 like. Sometime s they are real anxious to go after  
18 they pass Grade 9 here, I know they are anxious to go  
19 out to Whitehorse, because it's a bigger place, a lot  
20 of different things. They go out there for a little  
21 while and they are just too darn anxious to come back  
22 here, come back to their home and their parents.

23 MR. VEALE: After they finish  
24 at Whitehorse, are they coming back to Old Crow, or  
25 are they staying out there?

26 THE WITNESS: Well sometimes  
27 after they are finished schooling, they try to get jobs  
28 but it really appeared to me that they always end up  
29 back here in Old Crow.

30 THE WITNESS: Mr. Berger, I





1 think this is all I have to say. I would like to thank  
2 you very much again, I hope you join the ball game with  
3 us tonight.

4 THE COMMISSIONER: Thank you,  
5 Mr. Frost.

6 (WITNESS ASIDE)

7  
8 THE COMMISSIONER: I think we  
9 that we will adjourn now, Mr. Veale, and we will have  
10 supper and come back at 8 o'clock tonight. Would that  
11 be all right? Eight o'clock tonight?

12  
13 (PROCEEDINGS ADJOURNED)  
14  
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(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

THE COMMISSIONER: Ladies and gentlemen, I think we will call our hearing to order this evening to hear those who wish to make statements this evening.

MR. VEALE: Judge Berger, the first statement this evening will be in written form by some girls in the community, and they are standing at the back of the room to be sworn in and Peter Nukon is going to read the statement in.

THE COMMISSIONER: All right.

Miss Hutchinson, maybe you could just ascertain the ages of the girls, and -- you go ahead and read the statement the girls have prepared, Mr. Nukon.

DONNA FROST, Sworn:  
GLORIA NUKON, Sworn:  
CHRISTINE NUKON, Sworn:  
LINDA NETRO, Sworn:  
JOANNE CHARLIE, Sworn:

MR. NUKON: Here is a statement from the 5 girls, Gloria Nukon, age 16; Christine Nukon, age 15; Linda Netro, age 15; Joanne Charlie, age 13; Donna Frost, age 14.

"We are against the pipeline because it might change our way of life. It will spoil the caribou that we all love to eat. It will



1 wreck our culture. Some of us go out  
2 to the Crow Flats, ratting with our  
3 fathers. We love the land. It  
4 means we can be anything we want and  
5 go anywhere where we want. We all  
6 want to go to university and we all  
7 have to go south to school, but we  
8 want to come back to Old Crow to see  
9 our friends again because Old Crow  
10 is our home".

11 THE COMMISSIONER: That should  
12 be marked. Do you want that interpreted or not? No,  
13 all right.

14  
15 (STATEMENT OF DONNA FROST, GLORIA NUKON,  
16 CHRISTINE NUKON, LINDA NETRO AND JOANNE  
17 CHARLIE MARKED AS EXHIBIT C-74)

18  
19 THE COMMISSIONER: Well that  
20 statement by the five girls will be marked as an ex-  
21 hibit and will constitute a part of the permanent record  
22 of the proceedings of the Inquiry.

23 MR. VEALE: May we have that  
24 interpreted, I take that back, I think the young  
25 children would like to know that the older folks under-  
26 stood what they said.

27 Judge, we have several state-  
28 ments to be read this evening. The next one is by Mrs.  
29 Clara Frost. She is just over here.



1 CLARA FROST, Sworn:

2  
3 MR. NUKON: Judge Berger,  
4 and all concerned.

5 "First before I say a few words on  
6 the pipeline and how Crow Flats and  
7 Old Crow, I would like to say thank  
8 you on behalf of all my family to  
9 Judge Berger and whoever was with  
10 him when he visit us at Timber  
11 Hill of which we are very proud of.  
12 We, the people, thank him for try-  
13 ing to help us out. Sure, we do  
14 not want the pipeline to run through  
15 the Crow Flats. We do not want the  
16 beautiful Crow Flats of which we are  
17 all proud of to be spoiled.

18 We want it to be a place where  
19 we can go to rat in the spring. If  
20 they ever spoil our country, we the  
21 people of Old Crow have nothing to  
22 look forward to, only sit in our  
23 houses and just remember the good  
24 old days. We want our grandchildren  
25 to learn our way of life in the  
26 future.

27 It's a beautiful and clean  
28 place. I hope we will be able to  
29 keep it that way, not only for our-  
30 selves but for our children. So on





Mrs. C. Frost  
Mrs. M. Kendi

1                   behalf of all the Frost family, I  
2                   wish all our people good luck.

3                   Sincerely, Mrs. Clara Frost".

4                   THE COMMISSIONER: Thank you  
5                   very much, Mrs. Frost.

6                   MR. VEALE: Judge, we now have  
7                   a statement to be read by Mr. Nukon, made by Martha  
8                   Kendi and she is sitting just over here.

9  
10  
11                   (STATEMENT BY CLARA FROST MARKED AS  
12                   EXHIBIT C-75)

13  
14                   MRS. MARTHA KENDI, Sworn:

15  
16                   MR. NUKON:

17                   "John Tizya, my father, was the first  
18                   person to put a house in Old Crow,  
19                   and then Joseph put a house next to  
20                   my father, then Elias John, then  
21                   from there on people started build-  
22                   ing houses, that's how this village  
23                   got big.

24                   "In Old Crow Flat, my father  
25                   was blind for seven years and we  
26                   looked after him good. Sometimes we  
27                   stay all summer and winter we feed  
28                   him fish and other animals. In the  
29                   fall time we kill caribou for winter.  
30                   Sometimes when we got hard times for



1 meat, even it cold outside we go out-  
2 side in the brush and set snares for  
3 rabbits. In March time we start  
4 setting traps for muskrat and we  
5 move to each lake to set traps.  
6 That's all I am going to say for now.  
7 I don't remember any more, I don't  
8 want any white people to bother  
9 Crow Flat, that days white people  
10 never help Indian people, and also  
11 I don't like the pipeline.

12 Martha Kendi".

13 THE COMMISSIONER: That  
14 statement by Mrs. Kendi will be marked as an exhibit  
15 and form a part of the permanent record of the pro-  
16 ceedings. Thank you very much, Mrs. Kendi.

17  
18 (STATEMENT OF MARTHA KENDI MARKED AS  
19 EXHIBIT C-76)

20  
21 (WITNESS ASIDE)

22  
23 MR. VEALE: Judge Berger, we  
24 now have a statement from Dick Nukon, to be read by  
25 Peter Nukon. Could you please swear Mr. Dick Nukon,  
26 please? He is at the back of the room. Put your hand  
27 up there, Dick.



DICK NUKON, Sworn:

MR. NUKON:

"1926, the first time we come from Eagle, Alaska, my father and mother four sisters and brother, Kenneth Nukon. In 1927 first time we went up Whitestone. In 1931 my mother died. Since 1937 three of my sisters died. Til 1940, Joe Netro had a store at Johnson Creek for Whitestone people. He had a store up there for two years, then he had moved his store to Old Crow. At that time we did our living by trapping, lynx, marten, mink, wolverine, wolf. After closed season for trapping, we hunt moose and dry some meat for the summer. But before breaking up we dry meat, after break-up of ice we hunt beaver.

And around the end of May we come down to Old Crow and then go up the Crow for ratting til June 15th. After we come down we go down to Fort Yukon. Before first of July we sell our winter furs down there. Then we start off for Old Crow by boat. When we





1 get up here, we go up to Icestone.  
2 Then we go fishing and moose and  
3 caribou hunting. We trap again all  
4 winter. We do this til 1948 when my  
5 father died. My father died, only  
6 me and Kenneth were left out of the  
7 family. So at that time it was  
8 pretty hard for us when you don't  
9 make money. No relief, no allow-  
10 ances for children. At that time,  
11 1934 to '42 we don't work for wages.  
12 You had to make your own money by  
13 hunting and trapping, now you work  
14 for wages. You just make money.

15 "Since I come from Alaska til  
16 1941, there were no school, no nurs-  
17 ing stations or no doctor. Never  
18 come here and when some people get  
19 sick they just stay that way and they  
20 just pass away.

21 "And now it's 1975, all kinds  
22 of things like there's nursing  
23 station, doctor, come to check the  
24 people every month. When people  
25 get sick they take them to hospital.  
26 And when the school kids finish up  
27 to ninth grade, they go to Whitehorse  
28 for finishing school. And now you  
29 work for wages, you can just work  
30 and keep family allowances cheque,



1 they get big cheques too. And then  
2 fall time they go fishing and hunting  
3 and you go hunting meat for the  
4 winter. You keep on living like  
5 that and hope no pipeline comes  
6 through.

7 So that's all I can say about  
8 what I did since 1926. Thank you.

9 Dick Nukon".

10 THE COMMISSIONER: Thank you,  
11 Mr. Nukon. Your statement will be marked as an  
12 exhibit and made a part of the permanent record of  
13 the proceedings of the Inquiry.

14  
15 (WITNESS ASIDE)

16  
17 (STATEMENT OF DICK NUKON MARKED AS  
18 EXHIBIT C-77)

19  
20 ABRAHAM PETERS, Sworn:

21  
22 THE INTERPRETER: He says my  
23 name is Abraham Peters and I would like to say my say  
24 to Judge Berger.

25 First I would like to thank  
26 Judge Berger and his staff to come to Old Crow to  
27 listen to Old Crow people. He said he has been to  
28 school, came back from school in '49 and from '49 until  
29 now he would like to tell you how it has been in the  
30 past.



1 He said when he came back to  
2 Old Crow from the school, from Carcross, he said at  
3 that time, he said, when we came home the children in  
4 Old Crow didn't know how to say a word in English.  
5 The very first time a teacher came up to Old Crow  
6

7 The teacher that came up here  
8 at that time, it was a lady, her name was Mrs. Lucie,  
9 and she stayed here as a teacher and nurse, and she  
10 also looked after the church, and that was the very  
11 first time when the Old Crow children started to learn  
12 how to speak English. And he said you probably saw  
13 the old mission rectory there. He said that was the  
14 first place where the kids started to make school.  
15

16 He said very few airplanes  
17 come to Old Crow, and he said during that time there  
18 was mail planes supposed to come up here once a month  
19 and that was supposed to be the end of the month, and  
20 they don't come at the end of the month then we had  
21 to wait another month before we get any mail. But there  
22 was very few white people around here at that time,  
23 the police and a few other who lived up here and the  
24 school teacher, that is all the white people who was  
up here.

25 He went to school at this  
26 school where Miss Lucie was making school. He attended  
27 school one year, after that he quit school and he went  
28 out in the bush with his uncle, out in the bush to make  
29 a living. And at that time, he said, there were some  
30 hard times around here. We had a lot of hard times



1 during winter, and he said at that time people used to  
2 start trapping in the fall when the season was open,  
3 they don't come home until Christmas. He says this is  
4 the only way they used to make their living was trade  
5 their fur for food.

6                               Wherever you go, he said, if  
7 you had no dog food, you cannot go no place. He said  
8 he went out with his uncle one winter. From here they  
9 started and they were out 13 days from here, and he  
10 said they ran out of dog food. They were making a  
11 little what we call bannock, for dogs, they would give  
12 a little piece to each dog and their dog was starving.  
13 So they started back, they had nothing, no more to go  
14 on so they started back to Old Crow, that morning when  
15 they started out they start early but not too far away  
16 from where they broke up their camp, there was a bunch  
17 of caribou crossed their trail, so they went back and  
18 picked up their tent at the old camp again and they  
19 went after that caribou.

20                           He said they had to follow  
21 that caribou, because that was the only chance they had,  
22 they had to follow it until dark, until moonlight and  
23 they were shooting caribou in moonlight. Their dog  
24 got so weak and when they didn't move to that caribou  
25 til next morning, they started moving where they kill  
26 caribou, they had to put some dogs in the toboggan and  
27 pull them.

28                           They said the way they had to  
29 feed their dogs and start off with a little food, they  
30 had to feed them three or four times a day with a little





1 because they were weak and they had to stay there one  
2 week before their dogs was any good. And after he --  
3 they came back there before Christmas, and some moose  
4 came in from somewhere, there was some caribou nearby.  
5 He said people start off from Old Crow there to where  
6 that caribou was, because he said even that some of the  
7 dogs didn't make it to that camp.

8 And to tell you about the hard  
9 times of them days, he said, to show you how hard the  
10 people had to work to make their living, to pass the  
11 hard time, /<sup>he</sup>said even though the people had few caribou  
12 out of that, he said after New Year's they start off  
13 again that way. They had to pull in front of the dogs  
14 with a rope.

15 He said that time when he came  
16 back here he had to pull his dogs, ahead of his dogs to  
17 come back here to Old Crow. No more caribou in the  
18 country, nothing, his dog was too weak to go alone.  
19 When he came back here, he found out that the Indian  
20 Affairs had given out the relief for dog so they  
21 wouldn't lose all their dogs, and he went and asked  
22 to get a relief for his dog, he was refused because he  
23 was staying with his uncle and his uncle was white  
24 status, and he said they told him you are staying with  
25 a white status, you cannot get no dog food.

26 And he said it was against the  
27 law to kill cow moose at that time, but three or four  
28 miles up the Old Crow River, there was a moose and a  
29 calf that stayed around there all winter, and even the  
30 native people themselves they go up there hauling wood



1 that place, they see that moose every other day feeding  
2 on the bluff while lots of people here were starving  
3 for meat. He said they can't/<sup>get</sup>dog relief so he made up  
4 his mind he is going to go sneak around and kill that,  
5 hunt that moose and he did. He went sneaking up  
6 there and shot that cow and calf moose, so he don't  
7 want to lose his dogs. It's the only thing he had, his  
8 team of dogs to make his living so he went up there  
9 hunt for that moose and he kill that cow and calf, he  
10 got caught with it, and after he caught killing those  
11 moose, they took it away from him and he got fined on  
12 top of it. He had to go to court for it.

13 He said long ago, our people  
14 before us, he said there was no law at that time, the  
15 people at least go out in the bush and kill what they  
16 wanted to without getting fined for it, but after a  
17 while when he done this, he got fined over it, by the  
18 white people making the law for the native people.

19 And then a few years later,  
20 around 1959, that's when the first school built up there  
21 in Old Crow, then the white people started to come in  
22 from out side. At that time, '59, there was more white  
23 people coming in, different people coming to look after  
24 us and they were all white people, telling us what to  
25 do, making the law for us and telling us how to live.  
26 White people come from outside, they not belong to this  
27 land right here. They work on it, they make money on  
28 it, while us who can't do it, we was under the law  
29 by the white people and today yet, he says we live  
30 under the law of white people.



1 To show you an example from  
2 here if I go outside and start to build a house in the  
3 middle of your city, he says, he is going to pay the  
4 white people lots of money to build the house in that  
5 little piece of ground he's going to build in. He said  
6 the Yukon Territory is a pretty good sized territory  
7 and a lot of money came out of it by white people.  
8 The Indian people never got nothing out of it yet.

9 Right here in the Yukon Terri-  
10 tory, if you had to go to Whitehorse and buy a piece  
11 of land there, he said you have to pay for it, you have  
12 to pay the government for it and you have to pay lots  
13 before you could even build a house in there. He said  
14 now we are asking for the land settlement, and this I  
15 suppose the white people refuse us for it, and then  
16 do what they want, build a pipeline, build everything  
17 in that land, then after that native people here will  
18 have nothing again and supposing what the white people  
19 are going to do with us from there on again.

20 And supposing, he says, the  
21 pipeline was built, he is sure that the land would be  
22 spoiled. If they build the pipeline on the other side  
23 of Crow Flat, around the mountain range, he said still  
24 there is tributary running into Crow River. He  
25 believes that there is going to be lots of vehicles  
26 working in that pipeline route, and there's going to  
27 be lots of bulldozer and different kinds of machine  
28 that is going to work there and there's bound to be  
29 lots of oil spilled around the -- probably along the  
30 creek some place where they cross and no doubt that





1 there's going to be some oil spilled into the stream.  
2 Even if they do the work in winter, they do the project  
3 in the winter, still there's going to be the same.

4 And beside that pipeline,  
5 there will be a lot of people working in it and it  
6 won't be just the pipeline. From the camp probably  
7 they are going to build a road into Old Crow, and per-  
8 haps there will be a lot of white people going to  
9 settle in Old Crow. Perhaps more white people

10 and there will be more business coming in, more  
11 people, more business and perhaps if there was more  
12 white people they are going to ask for a liquor store  
13 in Old Crow or beer parlours, somebody wants to build  
14 it. There will be something like that built in Old  
15 Crow.

16 If anything should happen that  
17 the liquor store ever start in Old Crow, that's going  
18 to be the end of it for the people of Old Crow. This  
19 kind of problem, the liquor problem, could cause a lot  
20 of problems. People break up home over liquor, he  
21 said liquor could do a lot of things for people. They  
22 don't do the right things with it all the time, there  
23 was always problem between families and things like  
24 that.

25 And you can hear lots of good  
26 things about building a pipeline, nothing but good  
27 things going to be, come around here, but he says he  
28 don't believe in it. There will be bad things come of  
29 it too.

30 Next he is talking about Crow



1 Flat now, he said since 1949, since he came back from  
2 school, he has been going out to Crow Flats to trap  
3 muskrat and hunt muskrat. He is talking about moving  
4 to Crow Flats to trap, he says, it's no easy job there  
5 either, we work hard. We just all rode our toboggan  
6 one time and we move there, it's not that easy, we  
7 really loathe to move out there, to move family out  
8 there, do a lot of work to get there.

9 Talking about trapping muskrat,  
10 it's not one day work, you have to stay there all spring  
11 to get some rats. After the ratting season is over,  
12 he said, we start moving to river, this is over bare  
13 ground, putting dog back into sled and hitch up  
14 your dog and your dog pulling over bare land to  
15 move to the Old Crow Road. Then he said we build the  
16 boat frame and put a canvass on it, this is the kind  
17 of boat we use to come down the Crow River. And he  
18 said after all this hard work to go move out to Crow  
19 Flat until they get back to their village in Old Crow,  
20 he said the white people, they have holiday after work-  
21 ing for one year, they usually have holidays. He said  
22 it's something like that for us when we come back from  
23 Old Crow Flat, we come back with a bunch of rats and  
24 then we stay here all month of July.

25 After this month of July is  
26 over, we work for a living again. But he said first  
27 they start off with the wood, start dropping wood down  
28 the river from above. He said in them days the people  
29 used to have, when the caribou started come over the  
30 mountain, he said they see it and then they usually



1 have little meeting with their chiefs and he said in  
2 the morning, early in the morning, the chief usually  
3 get up and he goes up the trail and waits at the timber  
4 line up in the mountains, so he wait there for every-  
5 body and the chief waits there until everybody gets  
6 there, then they talk about how they are going to  
7 surround those caribou to get a bunch of meat out of it.

8 He said once they kill a good  
9 bunch of meat like that, they will probably move their  
10 family up there in the mountain and start drying meat.  
11 We made good use out of this, we save all the hides,  
12 and dry all the meat and pound all the bone to make  
13 bone grease and this is how they do the meat. They  
14 made lots of things out of caribou hide, they make  
15 babishes for winter and they make two or three differ-  
16 ent kind of babishes for the different sizes to knit  
17 their snowshoes.

18 And this is all that he could  
19 remember living out of the land, living off caribou,  
20 he said there was no waste on caribou in them days,  
21 they used every part of it.

22 Now, later on he said the  
23 people start hunting with boats and they go as far as  
24 Whitestone, up around that country to hunt moose in  
25 the fall, this is to put up meat for the winter, and  
26 during the moose season in September. But the peple  
27 from way back used to live and use this land. He work  
28 a few years now working with the archaeologists,  
29 working on the old sites along the river. He said  
30 at one site they are working on now, they call Klo-Kut



1 site up here, it's about 6 miles from Old Crow, he said  
2 he has been working there for the archaeologists and  
3 they dig a hole there in the ground sometimes about  
4 5 feet. And finding materials from way back about 5  
5 feet deep around that site. And that's not the only  
6 place they find artifacts from people away back, but  
7 some have been found along the Old Crow River, and  
8 some of have been found along the mountain range that  
9 is surrounding Old Crow Flats.

10 He said by working with the  
11 archaeologists and finding material from a few thousand  
12 years back like that, he said from that he finding  
13 things out for himself that them days, he said probably  
14 there was some intelligent people who were leading their  
15 own people in how to live off the land. But now-a-days  
16 he says, it's not like that, it's different, the people  
17 live different now-a-days.

18 Finding out how the people  
19 used to live in the earlier days in this country, he  
20 said, probably if he hears from one of those archaeolo-  
21 gists that works down on that site there, he may find  
22 more information from them than you will find out from  
23 me. And he said another thing that he would like you  
24 -- like to let you know, that this land that we live  
25 on today used to belong to the native people, they used  
26 to live there before the white people ever come in  
27 this country.

28 Now the native people they  
29 are going to have to ask for this land again. Now they  
30 are asking for a land settlement, asking for a piece of





1 land for these Old Crow people to live on, and that the  
2 kind of land settlement he said he would love to see  
3 for the people of Old Crow. If the pipeline will ever  
4 cross this land, he wants to see the land settlement  
5 for the native people.

6 He said perhaps, it's pretty  
7 hard to bring everything up at one time like that when  
8 you haven't got it written down before time, and it's  
9 pretty hard to explain everything at one time. Perhaps  
10 if he thought of something again, he may let you know  
11 before this meeting will be closed.

12 MR. VEALE: Abraham, I under-  
13 stand that you were band manager for Old Crow. Maybe  
14 you would tell the judge when you were band manager,  
15 and some of the things that happened with the government  
16 during that time? I am talking about the airport, Abe.

17 THE WITNESS: I was band  
18 manager a couple of years ago and --

19 THE INTERPRETER: He says he  
20 was the band manager for the Old Crow Band a couple of  
21 years ago. He said before they ever built the pipeline  
22 up here, there have been a lot of meetings put up  
23 before the airport was back there beyond the town.  
24 At that time, when they had meetings to build the air-  
25 port for Old Crow, he said the people of Old Crow told  
26 them it was too close to town, no room there for the  
27 people. Put it up on top of the hill somewhere a  
28 little ways away from town.

29 And he said all of a sudden,  
30 when the airport was going to be built, the machinery



1 got here and they started. They never did listen to  
2 the Old Crow people, where they were going to put it,  
3 they put it right behind the town, without discussing  
4 anything with the people of Old Crow.

5 And he said after building this  
6 airport, and it was completed a year ago, and then they  
7 came back again asking for more piece of ground, some-  
8 where around 700 feet more they wanted to add to it,  
9 to widen from east side of the airport. And then he  
10 said the Old Crow people step on their toes that time.  
11 He said the airport is not going to go any further,  
12 it's going to stay the way it is. They didn't want to  
13 give up any more ground for airport because they had  
14 no room, they were pushed to the river and the bank was  
15 caving in and there was only a little piece of ground  
16 there that was left. And then he figured out that  
17 they wanted to make the airport bigger because suppos-  
18 ing the pipeline started to come, he said they wanted  
19 to make it bigger just for that.

20 When the Old Crow people  
21 would start talking about putting an air strip in Old  
22 Crow, he said we didn't ask for anything that big, he  
23 said we only asked for a small strip where small air-  
24 planes could land, in case sometime during the break-up  
25 if somebody gets sick and during the freeze-up, in a  
26 place like, he said there was no other place for those  
27 airplanes to land, so they asked for a small strip  
28 where small airplanes could land. He said I didn't  
29 ask for anything that big that time.

30 He said long ago when they



1 asked for that the government refused first time,  
2 there would be no air strip in Old Crow, and anyway  
3 this ball field up there, the town, he said the  
4 people in Old Crow started to axe and shovel and every-  
5 thing and cut a strip there but it was too hard so  
6 they quit. YOU can't build an airport with an axe and  
7 shovel.

8 And once they found out that  
9 the government -- the oil companies started exploring  
10 this country and they wanted to put in a pipeline, he  
11 said the government sure went ahead and start spending  
12 money to build an airport. He said that last winter  
13 he was working for the seismic line for oil company  
14 up here some place, and there were cutting seismic  
15 line and the bulldozer come following to clear the place out  
16 and they had a place there where they made a heliport,  
17 the helicopters would land there, had a place there  
18 and the bulldozer went across and scrape everything  
19 there.

20 They saw wires frozen into  
21 the ground there. And this heliport where they find  
22 this wire coming out of the ground, he said they went  
23 and told the boss that they saw this wire coming out  
24 of the ground and he said they were doing seismic  
25 survey, or exploding the ground anyway with dynamite  
26 and one day they went back there and had a look at it,  
27 and that thing explode, it was from dynamite left  
28 under the ground there from some oil company that worked  
29 there before. He said this was left there like that,  
30 and he said probably some other places left like that





1 too. No one knows.

2 They were hunting 18 mile up  
3 river here where Kenneth Nukon is staying up there all  
4 winter, they trap with him and they hunt back in the  
5 hill and one valley there they saw some pipe was driven  
6 in the ground like that and there was a sign in the  
7 middle of it that said "Danger, Keep Out". He said  
8 he didn't see it himself but it happened that Stephen  
9 Frost and Georgie Moses were hunting around there, they  
10 are the ones that saw it.

11 He said they would sure like  
12 to find out why this thing was put there and said, a  
13 sign was put up and said "danger". Things like that  
14 have been left behind and without letting Old Crow  
15 people know anything about it, and then it's been found  
16 after the oil company left the country, but this kind  
17 of things the Old Crow people don't like.

18 MR. VEALE: Abraham, when the  
19 airport was built, were Old Crow people sent out to  
20 Whitehorse and trained for jobs?

21 THE INTERPRETER: When they  
22 started to build the airport in Old Crow, some of the  
23 boys volunteered to go to school for training in  
24 Whitehorse to drive trucks. He said after they came  
25 back he said everyone that had a job there to build that  
26 airport. And he said these boys are working in the  
27 airport, he said, they go there they drive around, they  
28 drive truck for good money, good piece of money, they  
29 make a good piece of money in a short season, and  
30 once they get paid, they got a big lump of money



1 in their pocket and feel happy but after no more job,  
2 the money is no more there in their pocket and those  
3 boys, they are not too happy after the money is gone.  
4 Well perhaps he says some other people want to come up  
5 to the mike and talk, and this is all he would like to  
6 say, and he would like to say thank you again.

7 THE COMMISSIONER: Thank you,  
8 Mr. Peters, thank you very much.

9  
10 (WITNESS ASIDE)

11  
12 BERTHA ALLEN, Resumed:

13  
14 MRS. ALLEN: First I would --  
15 my name is Bertha Allen. First, I would like to get  
16 permission from the people of Old Crow to see if I can  
17 speak, and the reason I would like to speak is I was  
18 born and raised here in Old Crow, and I feel that -- I  
19 feel that I should have my say on behalf of my grand-  
20 mother, Myra Moses, who is sick, and on behalf of  
21 other members of my family who lives in Old Crow, so I  
22 would like whoever is in charge to -- the chief, if he  
23 would ask the people if it's okay that I have my say.

24 THE COMMISSIONER: Well I  
25 think it's okay with everybody, isn't it chief?

26 THE CHIEF: Yes.

27 THE COMMISSIONER: I think you  
28 can go ahead, Mrs. Allen.

29 MRS. ALLEN: Okay. Well I  
30 would like to start off, my grandmother couldn't make



1 it here, Myra Moses, she is presently sick at home and  
2 she's asked me to speak on her behalf, and first she  
3 would like me to inform you about the medal that my  
4 grandfather got from the Queen, no King George, King  
5 George at that time. Just to show how generous the  
6 people of Old Crow were at that time, it was during  
7 the Second World War in 1941, I think that my grand-  
8 father, you know is Peter Moses, and he was the longest  
9 reigning chief of Old Crow. He reigned for 18 years,  
10 and then on two occasions through the Second, through  
11 the mail of my grandmother, I found out on two occasions  
12 that while he was chief that he collected money to send  
13 to the orphans, the ones in England to the amount, in  
14 those days, 300, in the amount of 300 something. In  
15 those days, that was a lot of money, and the money was  
16 used for clothing for the orphans.

17 On another occasion, he  
18 collected money for the Soviet Union, who you know at  
19 that time the war was being fought against them, I  
20 think, if I remember my history correct, so I am sure  
21 everybody knows this, I won't ask this to be inter-  
22 preted, so I'll just in my own version, I would like  
23 Peter to interpret what I have to say.

24 I feel that the people of Old  
25 Crow should, you know they are so isolated that they  
26 don't get new information about other communities,  
27 other community hearings, what are the native people  
28 thinking in the other communities. Peter, if you  
29 will --

30 So I will start off with



1 telling you about the town I live in, and it's a fast  
2 developing town, and I would just like to point out a  
3 few places, I mean a few points what development can  
4 do in a community. I have lived in Inuvik for the last  
5 18 years, you know Inuvik started in '55, I think, and  
6 at that time we all moved over, a few of us that were  
7 on the trap lines decided to move over to Inuvik for  
8 summer employment. And when we first moved to Inuvik,  
9 there was a lot of good berry picking area within  
10 walking distance. And now that development has moved  
11 in and there's a lot of work and there's big talk of  
12 this pipeline being built, encouraging a lot of con-  
13 tractors moving up into the north, getting ready for  
14 the building of the pipeline.

15 And now I find, and you'll  
16 hear the complaints of a lot of the local women, that  
17 know these berry patches. There's big buildings put  
18 on their berry patches and it seems that their berry  
19 patch is getting further and further away. It's not  
20 even within walking distance any more. There's roads  
21 being built around Inuvik too, and the dirt from the  
22 road is killing the berries too. That's some of the  
23 points I would like to point out to you, what develop-  
24 ment can do to a town.

25 Now I come back to Old Crow,  
26 I see across the river and I see up on the mountain  
27 where we use to pick berries. I see that they are  
28 still undisturbed. I see the trees the same way they  
29 were when I left in '45. And I'm afraid if they ever  
30 decide to build a road or the pipeline up in your area,





1 all these things will get further and further away from  
2 you. And I'm still on development and I would just  
3 like to go down to this southern part of Canada, where  
4 the southern Indians live. I would like to point out  
5 about the Kenora area in Ontario.

6 As you all know, my sister  
7 Agnes, she used to live in Kenora and being an Indian,  
8 she was an eater of fish as the Indians of Kenora area  
9 were. So what happened there was a paper mill and  
10 other industries were all started up in these areas.  
11 They dumped all their garbage into the rivers and this  
12 contaminated the rivers and now the fish that live in  
13 the rivers are poisoned with mercury. And the Indians  
14 still eat this fish, and are now starting to feel the  
15 side effects of this poisoning. If you eat this mer-  
16 cury poisoned fish, sometimes your eyes or your vision  
17 starts to get very poor, and your hair may fall.  
18 The government, the federal government knew about this  
19 mercury poisoning in the Kenora area, but never  
20 bothered to inform the people about it until the native  
21 organizations put pressure on them to make this public  
22 to the people.

23 This is what the greediness  
24 of the white men will do, they will do anything to  
25 develop the country. These are just some of the things  
26 that I wanted to bring up on development for the time  
27 being.

28 I would like to go onto the  
29 pipeline, about the seismic line and compare it to  
30 this big development. What will the pipeline do, like



1 I did a program on the pipeline information program in  
2 Fort MacPherson and Inuvik, and some of these points  
3 I'm going to mention were things brought up to my atten-  
4 tion by people I visited in their homes, and I would  
5 like to bring it to your attention. I don't know, I've  
6 never heard any of you so far bring up most of these  
7 things, and I would like you to think about it. These  
8 are ideas given by the other native people around  
9 MacPherson, Inuvik area.

10 There's a comparison between  
11 the seismic line, which is a small operation and the  
12 native people have found out wherever they have blasted  
13 the creeks, and the -- the breeding beds of the fish  
14 have been destroyed. The fish have been destroyed,  
15 because they know these creeks and because they fished  
16 in these areas from time to time and they know the  
17 areas well and they find out that the fish just dis-  
18 appeared after the seismic crew went past, and now  
19 they are asking if such a small operation as  
20 a seismic line should disrupt their way of life and  
21 their livelihood, what will a big project such as the  
22 pipeline do to us, that's a question they are asking  
23 themselves now.

24 And another big question they  
25 are asking to the government, federal government and  
26 the oil companies, is what kind of compensation or  
27 guarantee will you give us if you put the pipeline  
28 through and you have chased away all our animals and  
29 we can no longer use the land of ours to make our  
30 livelihood, what kind of guarantee is the



1 government going to give the people if this  
2 should happen? And that's about enough of that, so I  
3 go on to the leakage of a pipeline, and this is  
4 another thing that people have talked about.

5 They are asking the question  
6 about what kind of precautions is the companies going  
7 to take if there should ever be a leakage, and I know  
8 that you don't have T.V. here and a lot of times the  
9 reception is not good on the radio, but in Inuvik where  
10 we have good communications and you watch the news on  
11 T.V. and it's not too long ago we saw a film on -- in  
12 Japan about an oil spillage. All this the government  
13 is not going to tell you about. And when this tanker  
14 leakage, it leaked out thousands and thousands of  
15 gallons of, I think it was fuel oil, I'm not quite  
16 sure -- fuel oil, and I'm sure in your information  
17 program you must have been informed that they have  
18 equipment to collect the oil spillage if it should ever  
19 break, and to tell you the truth, watching this film,  
20 that equipment they had to collect the oil in Japan  
21 was useless.

22 There's another question on that  
23 topic: What measures would the federal government or  
24 the oil companies take should this ever happen in the  
25 north, if they built a pipeline, and I'll go on to a  
26 few other things that other native people in other  
27 parts of the north are thinking about.

28 Like this Inquiry, you tell  
29 this Inquiry about what kind of guidelines you would  
30 like to see if a pipeline is ever built in the north,





1 it's us that should set the guidelines. Where I  
2 come from, we are going to tell Judge Berger we want  
3 some rules set down in camps, to be strictly enforced,  
4 that these employees, there's going to be 800 men to  
5 each camp, and what will happen if they all decide to  
6 come into our communities?

7 In the Inuvik area like I  
8 told you, it's a fast developing town. We already see  
9 what could happen to a town should people come in who  
10 are not residents and who don't act as visitors in our  
11 towns. What we want to do is for them to stay in camp,  
12 and out they go after they serve their two weeks or  
13 three weeks they do, we don't want them hanging around  
14 our towns to disrupt our way of life.

15 I know that's being mean to do  
16 something like this, but there has to be some rules  
17 laid down. And another thing, we want to put pressure  
18 on the employers, people that employ workers. We are  
19 going to tell Justice Berger that they should sign a  
20 paper or document that they will promise a return  
21 ticket to any of their workers should they get fired.  
22 We don't want them hanging around our towns.

23 It's on numerous occasions  
24 we've had a few people, because of development in the  
25 Inuvik area, got fired and they have been hanging  
26 around our towns and now we are stuck with them, some  
27 of the native people have to house them, and it's been  
28 proven too, that they stick around, next thing they  
29 know, they end up with one of the native girls and  
30 they think they have put in enough time in the north,



1 next thing they know they are approaching the trappers'  
2 association for trapping licence. And another thing  
3 that we pointed out was you know, I don't know how  
4 much you know about unions. If the pipeline is ever  
5 built, you know it's going to be all the jobs is going  
6 to be given to unions, unions of labour, unions of  
7 you name it, welders and all this. We are just think-  
8 ing of what kind of chance have the native people got  
9 for short term jobs on this pipeline.

10 So what we are thinking to  
11 tell Judge Berger on unions is we know we can't get  
12 jobs on a lot of -- you have got to be professional  
13 to build this pipeline, so only thing the native men  
14 are professional in is doing labour jobs, and even  
15 that, we're not sure of because there's unions down south  
16 of labourers. What we want to do is set up a union  
17 of native men and ask would they recognize this union  
18 and hire from this union only for labourers' jobs.

19 Seeing Peter is tired, I am  
20 going to sum mine up. Do you want me to finish or to  
21 hear more?

22 THE COMMISSIONER: Well I will  
23 tell you what we will do. While we are changing inter-  
24 preters, we will just stop for 5 minutes and stretch  
25 our legs.

26 MRS. ALLEN: Okay.

27  
28 (PROCEEDINGS ADJOURNED)  
29  
30



## (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

THE COMMISSIONER: We will come to order again. Mr. Sittichinli maybe you would come over here and act as our interpreter now.

MRS. BERTHA ALLEN,  
Resumed:

MRS. ALLEN: I still got lots more to say on this Inquiry. I just spoke to a lot of people and they said they would like to hear it to the bitter end, so I'm going to finish my say.

I would like to go onto the social aspect of this pipeline. For example, when development came to Inuvik, that there was a lot of money flowing around by men from the south, and what happened, a lot of sad things happened in Inuvik in those days. A lot of times these men took off with these girls when they were still half drunk, and these girls found themselves in Edmonton a lot of times in hotel rooms. And they find out they are in their hotel rooms by themselves and their boyfriend is nowhere to be found, he's gone, he's abandoned her.

And it always ended up, a phone call home to their parents or a phone call to the social development and it ended up that they always were brought home by social development. This is not going to improve if the pipeline and highways are built into our communities, it's only going to worsen.



1 A lot of times it will be ten times as bad, there's  
2 going to be lots of deaths found on the highways.  
3 And I'll go back to when the social workers came into  
4 the country. What they did was it all started by when  
5 social development came into our country, that's when  
6 we start losing our pride. They made it easy for us to  
7 get assistance instead of going out to work, it was  
8 easy to get social assistance, and what happened is a  
9 lot of us learned to depend on social assistance now.

10 What happened down south in  
11 cases like this is say your children, your grandparents,  
12 your parents, you yourself, that's four generations,  
13 sometimes down south social problems so bad, all these  
14 four generations learn to live on social assistance.  
15 So what you have to be careful about is that you don't  
16 fall into this line, you have to learn to get your  
17 pride back before you learn to live like the white  
18 people down south on social assistance, generation  
19 after generation.

20 And then the social develop-  
21 ment, they were the ones that told our youngsters,  
22 informed them of their rights. They told the girls  
23 if you are 18 and you can't get along with your mother  
24 and father, you are on your own, we will look after  
25 you. They were the ones that did that to the native  
26 people. So that's enough of that and I'll go on to  
27 something else.

28 Another thing the people in  
29 the other settlements are worried about is with people  
30 moving in for employment, they will demand sports





1 hunting licence so therefore you must lay down the  
2 rules, who can be eligible. As you know, sports hunters  
3 from south, they kill for the pleasure, not for sur-  
4 vival as the native peoples do. You should now think  
5 about that and make some kind of rules that they should  
6 follow and learn to enforce it.

7 And I would like to, you  
8 know the native people have always been criticized for  
9 being against development. I would just like to  
10 point out a few places down south that I know are in  
11 the same boat as we are fighting the government. You  
12 know, the government don't usually listen to the people  
13 at all. For example, in Toronto, there's a part of  
14 that big city where the people in that little district  
15 don't want this airport built on there, because it is  
16 good for farming. What happened is the government  
17 didn't listen to the people and got the airport  
18 started, against the wishes of the people.

19 I would like to point out  
20 where the people demanded ownership in Sable Island a  
21 few years ago, where they found oil the same as they  
22 found oil in our country, then the federal government,  
23 the provincial government start fighting over this  
24 island, who it belongs to. And I don't know what  
25 happened to that, I didn't keep up with the news, it  
26 just goes to show an example we're not the only people  
27 in Canada that's fighting for our rights. They are all  
28 out in the limelights trying to win what is rightfully  
29 theirs.

30 What I want to know is if



1 this pipeline is built against our wishes; another  
2 thing I would like to point out is we may, you know,  
3 we may -- this pipeline may be pushed upon us, but at  
4 least we be very vocal and tell the Berger Commission  
5 what we want, the rules we set down, the least we could  
6 get out of this pipeline is set down some rules and  
7 guidelines that they have to follow, if there is  
8 nothing else.

9 Another thing I would like  
10 to bring to your attention is on my way back from  
11 Edmonton the other day, I read a report by Dr. Otto  
12 Schaeffer, people around the Inuvik area know him very  
13 well. He works for the Northern Health Services, and  
14 there was a report on cancer of the Eskimo people. I  
15 would like to bring that to your attention, what  
16 development can do to us. Why do you think a lot of  
17 us are dying of cancer? It's because of the testing  
18 of bombs and the fall-out of the bombs and the fall-  
19 out fall on where the caribou breed.

20 He says that the native  
21 people being eaters of wild meat, they seem to be  
22 getting more cancer amongst the native population in  
23 the north. And another thing he found out was a lot  
24 of native woman are dying of cancer of the womb and  
25 cancer of the breast. I'm sure that's going to be  
26 brought up and we want to know, what is the Northern  
27 Health going to do? What kind of a health program  
28 will they do for woman, say the few of us that know  
29 about it we go for pap smear test, that's to see if we  
30 got cancer of the womb. Will they inform the native



1 woman in these communities about something like this?  
2 It goes to show that is what we sacrifice for develop-  
3 ment.

4 And as you all know, in all  
5 these northern towns, the biggest problem is the alcohol  
6 problem. We are caught between two cultures, the  
7 Indian culture and the white culture, that's why the  
8 native people are mixed up now. I remember my growing  
9 up years in the Indian culture, taught to me by my  
10 grandparents, which was in those days sharing and  
11 cooperation amongst the people of the town. Now I see  
12 that the white culture is slowly sneaking into these  
13 communities and the spirit is not the same as when I  
14 was growing up, there's not too much sharing and  
15 cooperation. What I'm trying to get at is this is not  
16 our lifestyle and you should learn to go back to the  
17 old ways, which is much better in a town like this.

18 Another thing I'd like to say  
19 to the young people that's going to school now about the  
20 land claim. You all know if you ever make your land  
21 claim with the government, if that's what you want,  
22 you know that there's going to be money that comes from  
23 royalties, that go out of the country, and if you want  
24 to handle that money in your own way and not pay some-  
25 body from down south, you have to learn to handle that  
26 money yourself and that means education for you young  
27 people. I know it's hard to stay away from home, I  
28 have that problem with our children too, but what you  
29 people -- but what you children go through, you don't  
30 know but it's a cultural shock when you leave home and





1 move into a bigger town and you soon get lonesome and  
2 want to go home.

3                   What I want to say to you  
4 young children is when you get depressed like this,  
5 hold onto it for a while. Aim at something, a goal in  
6 your life, what you want to be. Do you want to be an  
7 accountant, or a secretary, and you look at it and you  
8 work towards it. Get over this culture shock and you  
9 will make it if you are determined. And what this  
10 needs is encouragement from you parents to help your  
11 children get through this stage. If you don't do this,  
12 nobody else is going to do it for you and then what  
13 will happen is you are forever paying consultants and  
14 lawyers, somebody from other countries drawing the  
15 money away when you could do it yourself if you are  
16 determined to do it, you can do it, and I have faith  
17 in you, you can do it if you are determined.

18                   In this day and age, I know  
19 it's hard to be a parent, it's not easy like it was at  
20 one time. I'm going through that experience. Another  
21 thing too I want to bring up, you know if it wasn't  
22 for the mission education system, I wouldn't be here  
23 expressing myself to you the way I am. I'm sure the  
24 Commission have heard alot of complaints about the  
25 mission education system. I for one, and I have spoken  
26 to many other faithful and happy students today who  
27 are leaders because they went through this system.  
28 I know this is the only educational system that did  
29 any work for the people of the north, is the mission  
30 education system. That is the one and only, they taught



1 us Christianity which is sharing and cooperation with  
2 your neighbour.

3 Another thing I would like to  
4 say to you, I was really happy to hear one of the  
5 speakers mentioning the "yes man." We have always been  
6 the yes, yes man, anything the government says to us  
7 was always "yes". I know how friendly and generous  
8 you people of Old Crow are, but I must warn you, you  
9 have got to learn to say "no" sometimes to a lot of  
10 these things that are trying to be pushed on you.  
11 The way you go about learning to do this is when some-  
12 thing comes up new, don't be so agreeable to it right  
13 away. You tell them we will think about it, and in the  
14 meantime you talk to other people, even if you have to  
15 make long distance calls to somewhere and get opinion  
16 of other people, then you could decide if it's good for  
17 us or is it not. If it's not, learn to say no.

18 And these things I've spoken  
19 to you about are experiences I have gone through. I  
20 didn't come to the point where I am today to express  
21 myself overnight, it took me 15 years before I'm able  
22 to express myself openly and without fear. What I am  
23 a little disappointed with some of the women here is  
24 they are not coming out to speak. I know you can do  
25 it if you try. Don't be shy, there's nobody will  
26 chew you up.

27 You know, this Berger Commiss-  
28 ion is your last chance to tell the government  
29 how you feel about the pipeline and here's your oppor-  
30 tunity. He's sitting there now, you tell him what you



1 think about the pipeline. If you don't, then forever  
2 hold your peace, you had the chance.

3 I would like to close off with  
4 saying that you know, I would never ever want to see  
5 the people of the Northwest Territories be a stranger  
6 in their own country. I have seen too much of it down  
7 south in my travels. I see native people in other  
8 countries being strangers in their own place, even  
9 close to Inuvik, I won't call out the cities. I see  
10 native people standing around and seeing these big  
11 developments going around them and they are standing  
12 around, don't know what's happening in their own  
13 country. Don't let that happen to you.

14 This is the biggest project  
15 I've ever heard of in this country, the Yukon.  
16 This is the first hearing that I know of in the Yukon,  
17 is it?

18 THE COMMISSIONER: Yes it is.

19 THE WITNESS: Community  
20 hearing, and that's the only community hearing you will  
21 have in the Yukon?

22 THE COMMISSIONER: And White-  
23 horse.

24 THE WITNESS: Whitehorse, I  
25 mean that's a big one, but I would like to know if some-  
26 body could answer my question, where is your Member of  
27 Parliament? This is a federal issue, where is he?  
28 I myself always like to get first hand information, I  
29 never like to get it second hand, even from the best of  
30 informers that I have around, I always like to get  
first hand information. I think your M.P. should be



1 here getting first hand information, not second class.

2 You know, I observe a lot, I  
3 look around me and I talk to people, and I'm convinced  
4 that the best place for you people, and I wish you would  
5 think about it, is we have better programs in the North-  
6 west Territories and I find that Whitehorse look at  
7 Old Crow as if you don't exist. Your M.P. I find out  
8 hasn't been around since the last election after a lot  
9 of promises to you. So what I'm trying to get at is,  
10 I don't know what you'll think about it, but I have  
11 spoken to a few people. This is not going to be the  
12 first time that ever happened. We decreed and we  
13 act for the Northwest Territories, think about join-  
14 ing the Northwest Territories. You're much closer,  
15 we have got a lot more things in common. I know the  
16 Yukon government's not going to approve of that, they  
17 like to have your number. We say all you are to them  
18 is a number, so okay that's all I have to say and I  
19 hope what I missed I will pass it on to somebody,  
20 hopefully they will bring it up and not be afraid.

21 THE COMMISSIONER: Thank you,  
22 Mrs. Allen.

23 THE INTERPRETER: I don't know  
24 whether to translate the last part or --

25 MRS. ALLEN: Yes, tell them.

26 THE COMMISSIONER: I think  
27 you should translate it, it's what Mrs. Allen said.

28 THE INTERPRETER: All right.

29  
30 (WITNESS ASIDE)





1 DR. WILLIAM IRVING, Sworn:

2  
3 THE COMMISSIONER: Mr. Veale,  
4 I understand that this witness has to return to camp  
5 tonight, is that right?

6 MR. VEALE: Yes, that's correct.

7 THE COMMISSIONER: Mr.  
8 Sittichinli has been doing a yeoman's service here.  
9 Is it possible for this witness to give his evidence in  
10 its entirety, and it might <sup>be</sup> summarized and then trans-  
11 lated tomorrow? Does that, or would you rather it be  
12 translated as we go along? Whatever suits you --

13 THE INTERPRETER: I think I  
14 can do it.

15 THE COMMISSIONER: Well I  
16 would just like to hear what Mr. Veale has to say about  
17 it.

18 MR. VEALE: Well I discussed  
19 this with the chief, Judge, and he felt it should be  
20 translated as we go.

21 THE COMMISSIONER: All right,  
22 let's do it that way. We could certainly have a --  
23 give you a break, though Jim, if you wish.

24 THE INTERPRETER: No that's  
25 all right, go ahead.

26 MR. VEALE: I understand your  
27 name is Dr. William Irving, and you are with the  
28 Department of Anthropology at the University of  
29 Toronto, and that you're a professor of anthropology?

30 THE WITNESS: Yes, that's right.



1 MR. VEALE: Dr. Irving, would  
2 you tell Judge Berger and the people what your objective  
3 is from an anthropological point of view?

4 THE WITNESS: It is easiest  
5 for me to begin in a somewhat narrative fashion and  
6 say that I came here in 1965 looking for some part of  
7 the Loucheux territory in which I could relate the  
8 information that I get from the old people, the ethni-  
9 graphic information, to the information that I get  
10 from archaeological remains about pre-historic times.

11 When I arrived here, I found  
12 that the Old Crow region was ideally suited to the kind  
13 of work that I wished to do. There were people with a  
14 great deal of knowledge about the early days and there  
15 were some excellent archaeological sites, old camps  
16 where people had lived nearby. The following year in  
17 1966, I came here with several other people from the  
18 National Museum and together with some men from Old  
19 Crow, we began digging at the site that is called  
20 Klo-Kut, about 6 miles up the river from here.

21 THE COMMISSIONER: That is at  
22 the Porcupine?

23 THE WITNESS: Just up the  
24 Porcupine River from here, yes.

25 During that year and the year  
26 1968 when Dr. Morlan was excavating there, we between  
27 us have discovered or established that the site of  
28 Klo-Kut was occupied over a period of more than 1,000  
29 years. I cannot be exact about the time when it was  
30 last occupied or used by Loucheux people, but I think



1 that that was about 1900, and I'm sure that there are  
2 people in this room who can be more precise about it  
3 than I can.

4 THE INTERPRETER: Last use was  
5 1900?

6 THE COMMISSIONER: It was  
7 occupied by Loucheux people for a thousand years before  
8 1900, is that it?

9 THE WITNESS: That's it.

10 One interesting and possibly  
11 significant piece of evidence comes from a fireplace,  
12 a pile of ashes at one part of the site and in the top  
13 of the pile of ashes we recovered a jack-knife and in  
14 the bottom of the same pile of ashes, and apparently  
15 just a little bit older, there were pieces of chipped  
16 flint from making flint arrows.

17 Evidence and information of  
18 this kind helps to support the reports of old people  
19 that the site was used for as long as anyone can  
20 remember and up until relatively recent times.

21 MR. VEALE: Dr. Irving, could  
22 you elaborate on the evidence that establishes a  
23 direct connection between the remains at Klo-kut and the  
24 modern day people at Old Crow?

25 THE WITNESS: It is difficult  
26 to point to evidence that will show that specific  
27 individuals or people whose grandfathers or great-  
28 grandfathers occupied any particular site at any  
29 particular time, but what we can do is point to the  
30 pattern of land use and match that with the information





1 that we get from old people, and when the pattern of  
2 land use indicated by the archaeology fits with the  
3 pattern of land use indicated by the old people, then  
4 we think that we have evidence for continuous use of  
5 that piece of land.

6 THE COMMISSIONER: By the  
7 same people?

8 THE WITNESS: By the same  
9 people.

10 MR. VEALE: Dr. Irving, could  
11 you tell us the pattern of land use that your investi-  
12 gations have revealed?

13 THE WITNESS: The work carried  
14 on by myself and my colleagues can be summarized, the  
15 work relating to the late pre-historic period, the  
16 period of the last presumably a thousand years, can be  
17 summarized by reviewing the annual cycle of activities.  
18 On the one hand as it's shown by archaeological remains  
19 and on the other hand as it's shown by an ethnographic  
20 reconstruction. I will attempt to review this very  
21 quickly.

22 THE COMMISSIONER: Well, take  
23 your time, Mr. Irving, we've got lots of time here and  
24 we are anxious that -- and I'm sure these people are  
25 anxious to have you tell the full story, so --

26 THE WITNESS: I should point  
27 out that we are still encased in research and the story  
28 is not complete, but I will give you the story as best  
29 I can at this point in time.

30 Well according to the



1 ethnographic information, and by this I mean simply the  
2 information that I get from old people and other stu-  
3 dents of ethnology in other parts of the Loucheux  
4 territory. In the spring, according to these ethni-  
5 graphic reconstructions that we make, many of the  
6 Vunta Kutchin and possibly other Kutchin, a Loucheux  
7 people as well, would gather along the Porcupine River  
8 to intercept the caribou as they migrated north and  
9 west to the calving grounds.

10 During the course of the  
11 summer, apparently the people engaged in various acti-  
12 vities, hunting water fowl, fishing and preparing for  
13 the fall caribou hunt. We have not very much system-  
14 atic information and I'm led to believe that people  
15 did a great number of different subsistence activities  
16 during the summer.

17 During the fall, many of the  
18 people, if not all, would gather in large organized  
19 groups at caribou fences, most of them situated along  
20 the north side of the flats. This still -- north and  
21 east side of Old Crow Flats, and this still by ethni-  
22 graphic report, that is report of the old people.

23 According to some reports,  
24 several young men would be assigned the task of repair-  
25 ing the caribou fences and would spend as much of the  
26 latter part of the summer doing this. They would,  
27 the people then would gather at the caribou fences  
28 about the time of the fall migration and retrieve the  
29 lances, bows and arrows, snares and other implements  
30 used in connection with the fall hunt from caches that



1 were placed beside the caribou fence, and this on the  
2 instruction of their chief or a leader or owner of the  
3 fence. With good luck they would secure enough meat  
4 from the fall migration, from the fall hunt, to last  
5 through the greater part of the winter. It might, how-  
6 ever, be necessary for the people to move to other  
7 places looking either for wintering caribou or for fish  
8 holes or some sort of alternative source of food.

9 Now, with apologies to the  
10 old people who I have been attempting to quote, I'll  
11 turn to the archaeological evidence and go back to the  
12 site of Klo-Kut, which I talked about earlier. At  
13 Klo-Kut, the implements that we find are mostly related  
14 to the taking care of caribou meat, and to hunting, and  
15 the bones of the animals that have been found there  
16 are in such -- well they are the bones of animals that  
17 were killed in the spring of year. This confirms the  
18 use of that particular site during the spring caribou  
19 migration.

20 At Klo-Kut, I should mention  
21 that we have excavated there about 7,500 cubic feet  
22 of occupation material, and this represents less than  
23 for a guess, less than half a percent of the total  
24 material yet to be dug up.

25 How do you say that in Lou-  
26 cheux?

27 THE COMMISSIONER: We will  
28 find out.

29 THE WITNESS: We have dug --

30 THE INTERPRETER: You have



1 dug out that much?

2 THE WITNESS: I mention that  
3 to illustrate, to show that the site Kloo-Kut in parti-  
4 cular is a very large and very important one.

5 There are other sites that  
6 are similar along the Porcupine River, one for example  
7 at Rat Indian Creek which we have not dug very much of,  
8 but it's a similar site but a little smaller.

9 Now, we have looked for sites  
10 that were occupied during the summer and for example in  
11 and  
12 Crow Flats/along the Porcupine River, we have found  
13 very little of these. I think that perhaps is --

14 THE COMMISSIONER: Excuse me,  
15 Mr. Irving. Would you mind repeating the thought you  
16 have just begun to express? I was still looking at the  
17 map.

18 THE WITNESS: We have looked  
19 for sites, archaeological sites to represent the summer  
20 activities of the Vunta Kutchim. These are not easy  
21 to find, I think perhaps partly this is because people  
22 lived in small groups during the summer, but this is  
23 just my guess and it may be something we will find out  
24 more about later on.

25 What we have found, and what  
26 is extremely interesting to scientists and I think to  
27 others as well is the sites of many of the caribou  
28 fences used in the fall. Now, these were first indi-  
29 cated to us by Old Crow people and then during the  
30 time when there was a great deal of survey going on,  
with respect to environmental impact studies, several





1 of these fences were reported and we began to locate  
2 them.

3                   These caribou fences are one  
4 of the things that the people working with me are con-  
5 centrating on this summer, and we have just today  
6 finished mapping in detail the fourth caribou fence  
7 that we have located, and we hope either this year or  
8 next year to map four, at least four others. These are  
9 on the north side of the flats at the, usually at the  
10 edge of timber where the mountain valleys lead out into  
11 the flats, and some of them are along the east side.

12                   Now, these are quite impressive  
13 structures when you see them from the air, they are even  
14 more impressive when you see them on the ground. They  
15 -- well I have here a photograph taken from the air  
16 which I would perhaps show the Berger Commission.

17                   THE COMMISSIONER: The cari-  
18 bou I take it, are driven into the open end of the  
19 fence and then trapped inside, is that the way it  
20 works?

21                   THE WITNESS: In general, yes.  
22 The pocket or the corral part of the fence is provided  
23 with snares that are held in place firmly and it's built  
24 of a fence that's usually about five to six feet high  
25 as nearly as we can reconstruct it, made of logs. The  
26 wings of the fence, which guide the caribou into the  
27 corral or the pocket, may be up to three miles in  
28 length. I suspect they may have been longer, but they  
29 are pretty hard to recognize when they get out toward  
30 the end. The whole construction entails quite a lot



1 of highly organized labour, and to my mind, it confirms  
2 the impression I get that there's a high degree of  
3 organization and planning in the exploitation of the  
4 country by the late pre-historic and early historic  
5 people.

6 THE COMMISSIONER: Before you  
7 translate, maybe while Mr. Sittichinli is explaining  
8 this, I could pass this around the room, would that be  
9 all right?

10 THE WITNESS: Please do.

11 THE COMMISSIONER: You might  
12 just pass it along. Carry on.

13 THE WITNESS: As nearly as I  
14 can tell at present, each fence would support perhaps  
15 8 to 12, perhaps a few more families. I may be able  
16 -- we may be able to say something more definite about  
17 this when we have completed the study of some of the  
18 winter villages that we have found near the fences.  
19 This is consistent with the statements of, for example,  
20 Big Joe Kickavichik(?) who lived when he was a boy at  
21 the Thomas Creek fence, and he can recall the names,  
22 or could recall the names of I think eight heads of  
23 families who lived there with him.

24 THE INTERPRETER: How many  
25 families?

26 THE WITNESS: Eight.

27 THE INTERPRETER: Eight?

28 THE WITNESS: Yes.

29 While I am talking about the  
30 Thomas Creek fence, it's interesting that Big Joe



1 recalls that the fence went out of operation the year  
2 after repeating rifles were purchased from the whalers  
3 at Herschel Island, and the whalers first began winter-  
4 ing at Herschel Island in 1895, which matches well with  
5 Big Joe's memory of the event.

6 I should mention that Big Joe  
7 Kickavichik is the father of the present chief of Old  
8 Crow, John Joe Kaye, and to indicate continuity with  
9 the recent past, I have been told that Big Joe's father  
10 is buried on the ridge over at Black Fox Creek, where  
11 I have seen his grave.

12 THE COMMISSIONER: I think I  
13 should say for the record that Professor Irving has  
14 just pointed out on the map the locations of two of the  
15 caribou fences, as well as location of Black Fox  
16 Ridge. Black Fox Ridge is unmarked on the map, it's an  
17 exhibit in the proceedings.

18 The two fences were on the,  
19 essentially on the north side of Old Crow Flats. I  
20 hope I am right in saying that.

21 THE WITNESS: Yes.

22 THE COMMISSIONER: I have  
23 forgotten, Professor Irving, were those fences used  
24 to intercept the migration from the coast in the fall,  
25 or to the coast in the spring, or both?

26 THE WITNESS: For the most  
27 part from the coast in the fall. Now, other caribou  
28 fences were built for use during the winter in the  
29 event that caribou should winter in the region, which  
30 they do from time to time. But these fences, which I





1 think are probably the most important ones, were  
2 designed for use in the fall.

3 THE COMMISSIONER: That photo-  
4 graph that's being passed around, that's a present day  
5 air photograph, I take it?

6 THE WITNESS: That was made in  
7 1970, yes.

8 THE COMMISSIONER: And in that  
9 photograph, I take it we see the remains of the posts  
10 that were used, is that what we observe from the air?

11 THE WITNESS: That's what we  
12 see from the air, the logs and the stakes.

13 THE COMMISSIONER: And how  
14 many, how many posts or stakes would have been used to  
15 construct the fence that we see in that photograph?

16 THE WITNESS: Unfortunately  
17 that's not one that we have mapped in detail yet.  
18 I can give rough dimensions and the pocket part of the  
19 fence varies from a quarter of a mile to about half a  
20 mile in length, that's just the place where the snaring  
21 took place. The fence around the pocket was up to,  
22 it was between five and six feet high, and pretty much  
23 solid logs from top to bottom, either as pickets or as  
24 horizontal logs. There is some variation in the style  
25 of construction. That's as close as I can give to the  
26 estimated number of logs, I would have to go back and  
27 do some counting, I guess.

28 THE COMMISSIONER: And you  
29 said that the wings where the collection of the caribou  
30 takes place --



1 THE WITNESS: Yes.

2 THE COMMISSIONER: -- to be  
3 funnelled into the pocket --

4 THE WITNESS: Yes.

5 THE COMMISSIONER: -- those  
6 were how wide?

7 THE WITNESS: Well in length  
8 they range up to, I would think about three miles, and  
9 in width from -- well they are rather complicated in  
10 their arrangement because there may be three or four  
11 different wings, so that the measure of dispersion is  
12 spread between the widest ones, could be misleading.  
13 But something on the order of a couple of miles across  
14 between any paths, is not out of line.

15 THE COMMISSIONER: A witness  
16 yesterday, an older woman, discussed caribou fences,  
17 she called them caribou corrals, that may be a more  
18 accurate description.

19 THE WITNESS: I think perhaps  
20 it is, yes, yes, I think so.

21 THE COMMISSIONER: Well, do  
22 you want to translate this little conversation and --  
23 as best you can? I am sorry.

24 THE INTERPRETER: I seen one  
25 built, how it is built. I seen one at Rat River and one  
26 at Driftwood, at the Driftwood River. I seen how it  
27 was built. The one I seen at Driftwood, it was still  
28 pretty good.

29 THE WITNESS: I have got to  
30 talk to you later.



1 THE COMMISSIONER: He has got to  
2 will talk to you. The interesting thing is that those  
3 structures may well be the greater in extent than any  
4 structures, than any man-made structures that have been  
5 built in the last 25 years north of the 60th parallel.

6 THE WITNESS: I wouldn't be  
7 surprised, I wouldn't be surprised.

8 I would like to point out that  
9 there is some indication that the construction of these  
10 fences goes well back into pre-historic times, it's not  
11 just a phenomena of the late 19th century, because some  
12 of the logs that have been used in the construction of  
13 them have been clearly cut with a stone axe rather than  
14 a metal axe, and this is pretty easy to see if the  
15 evidence is here, some of them. Most of the fences  
16 were repaired with metal axes right up until their  
17 final abandonment, so most of the logs will look as  
18 though they were cut with metal axes. Some apparently  
19 were cut with stone axes, or stone edges.

20 THE COMMISSIONER: Just one  
21 last question on my part, about how many caribou would  
22 likely have been trapped or snared in one of those  
23 corrals? Is there any way of telling, or --

24 THE WITNESS: At any one time,  
25 I would -- I can't make a calculated estimate, I can  
26 just guess that it might be anywhere from 20 to 50,  
27 75. It might well have been more.

28 THE COMMISSIONER: Yes.

29 THE WITNESS: But until we  
30 have completed our architectural drawings of these



1 things and analyzed them and talked more with some  
2 people who may recall something about them, it would be  
3 risky to hazard any more precise estimate.

4 MR. VEALE: Dr. Irving, maybe  
5 you could tell us how you determine the age of parti-  
6 cular artifact or fence?

7 THE WITNESS: Telling how old  
8 something is is one of the most difficult things that  
9 an archaeologist has to try to do, and there are several  
10 ways of going at it. You can sometimes tell that  
11 one thing is older than another thing, if it rests in a  
12 layer that is underneath the layer of mud, say, that  
13 was dropped later. You know that the bottom one is  
14 older than the top one.

15 At the site of Klo-Kut every  
16 so often during the spring there's an ice jam and a  
17 flood, and the flood brings a layer of silt down on top  
18 of the site, and then perhaps 20 or 30 or 50 years  
19 later, another layer comes in and it stacks up like  
20 that, and we came along and dug down through the layers  
21 and we know that the bottom one is the oldest. Well,  
22 there are other tricks for telling how old such things  
23 are, and one of them is a trick that I can't explain  
24 very well because I don't do it, I just collect the  
25 material and send it to a lab where they measure it.

26 Now, this --

27 THE COMMISSIONER: Is this  
28 carbon dating?

29 THE WITNESS: This is radio  
30 carbon dating, yes.





1 THE COMMISSIONER: I don't  
2 think I could understand that. Well take us --

3 THE WITNESS: Well then I will  
4 try to explain it, sir. The living material, whether  
5 wood or bone, when it stops living, it starts changing,  
6 getting broken down and rotten and so on and so forth,  
7 and it is possible sometimes to measure how much it has  
8 changed and figure out how old it is. You can do this  
9 especially with charcoal from wood fires. Well we had  
10 this done at Klo-Kut in the lowest layers that we dug  
11 out, which are not the lowest layers in that place.  
12 There are older ones yet that we haven't got to, and  
13 the middle ones and we have got some idea of how old  
14 most of the layers are that we have dug up, down to  
15 about four feet, four and a half feet down in the  
16 ground.

17 MR. VEALE: Dr. Irving, there  
18 are other dates that have been mentioned, 30,000 years,  
19 and 10,000 years. Could you just tie those in with  
20 the research you have been doing, and what those dates  
21 apply to?

22 THE WITNESS: I shall try not  
23 to spend the same amount of time on the 30,000 years  
24 that I have spent on the last hundred and fifty,  
25 proportionally.

26 Well while we were working at  
27 Klo-Kut in 1966, paleontologists from the National Museum  
28 Richard Harrington, was working collecting fossil  
29 bones from Crow River, and I'm sure that everyone here  
30 knows about the magnificent vertebrate fossils that



1       come out in great quantities from Crow Flats, the ele-  
2       phant bones and the giant beaver and the camel and the  
3       horse, and a list of about 20 or 22 different large  
4       animals, most of them now extinct.

5                       Anyway, Dick Harrington was  
6       making collections of these and among the bones that  
7       he collected, he noticed some that looked to him like  
8       tools, they had been made into something, and he brought  
9       them to me to talk about them, because I was working  
10      close by at the time. Well, these bone implements  
11      were found together with bones of elephants, that is  
12      mammoth, and the question arose, was there any connect-  
13      ion between them? Well, we got to looking at the  
14      mammoth bones and apparently they had been made into  
15      tools, and one thing led to another and we got the  
16      radio carbon dates on these things of between 25 and  
17      30,000 years old.

18                      Well now that was kind of  
19      interesting, because there really isn't very much in  
20      the way of direct evidence for early man anywhere in  
21      the Western Hemisphere that old, except at Old Crow.  
22      Well this branch of research has attracted considerable  
23      attention and it is one of the reasons why there are  
24      so many people camped out, and so many people camped  
25      with us this summer, people trying to figure out the  
26      history of the environment of the Old Crow region,  
27      which is preserved in an almost unique series of lake  
28      and river in sediments, baked in river deposits. These  
29      old bones are preserved and old logs and trees and  
30      flowers and beetles and all sorts of things. And these



1 can be studied effectively so that we can learn how  
2 the country, the countryside and the climate have  
3 changed over the course of several thousand years.

4 MR. VEALE: There's also, I  
5 understand, a site called Old Chief Site. Could you  
6 tell us about that site?

7 THE WITNESS: The site at  
8 Old Chief Creek is still being excavated so that I can  
9 only give a -- well I can say something about what we  
10 are doing and looking for there. It's a couple of  
11 miles up the Porcupine River from Kloo-Kut and it was  
12 first noticed as a couple of deep depressions in the  
13 ground, which we then started to look into and these  
14 have turned out to be underground houses. And this  
15 is very interesting because these are the first under-  
16 ground houses we have found in this part of the Yukon  
17 that I can think of.

18 The picture is not all that  
19 simple, however, because the houses were used at least  
20 twice and possibly three times, and people camped on  
21 that terrace and that river bank before the houses were  
22 built, you can tell this from the way the layers stack  
23 up in the ground and the way the dirt that they have  
24 flung out of the house is mixed in with older tools and  
25 like that. So the work there goes pretty slowly, and  
26 perhaps by this time two years from now, I can tell you,  
27 I can answer your question a little more effectively.

28 But we do have one radio carbon  
29 date from one floor in one of those houses and that is  
30 about A.D. 100, and that's really about all I can say.





1 There are a few things to look at there, but not much  
2 that I can say very much about.

3 MR. VEALE: Just a short  
4 question. You mentioned Vunta Kutchin and Loucheux.  
5 Could you explain whether those are similar words or  
6 just explain the difference?

7 THE WITNESS: I know just  
8 enough of linguistics to get myself into trouble.  
9 When I used the term Vunta Kutchin, I think I have  
10 tried to use it as the Kutchin people use it, to refer  
11 to the people of the Old Crow Flats region who may have  
12 gone other places too, but the Old Crow Flats with all  
13 its lakes is the place of the Vunta Kutchin, is that  
14 right?

15 Well the term Loucheux is --

16 THE INTERPRETER: I don't  
17 know, I was going to ask you one question too.

18 THE WITNESS: I think the term  
19 Loucheux was applied to all speakers of Kutchin lang-  
20 uage, and it's a term of French origin, and so Loucheux  
21 and Kutchin are, for most purposes, pretty much inter-  
22 changeable words.

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1 All the way over  
2 to Arctic Village and maybe beyond. Pretty much the  
3 same, a little different I'm told, but pretty much the  
4 same language.

5 THE COMMISSIONER: And as far  
6 as Arctic Red River to the east?

7 THE WITNESS: I think so, but  
8 I --

9 THE INTERPRETER: That's  
10 another tribe, Kutcha Kutchin.

11  
12 THE WITNESS: Yes. I'm get-  
13 ting beyond my scope.

14 THE INTERPRETER: Kutcha  
15 Kutchin.

16 MR. VEALE: I will ask an-  
17 other question. Maybe you could tell the Inquiry about  
18 your experience with the winter road of 1970 in  
19 Klo-Kut?

20 THE WITNESS: Well I do so  
21 with the help of -- or having consulted with some of  
22 the people in Old Crow. In 1969, I think it was,  
23 we learned that there was to be a winter road that  
24 would come into the Crow Flats area to make seismic  
25 work possible, and I was concerned about the safety  
26 of the archaeological site, Klo-Kut that I have said  
27 quite a bit about already, so I saw the appropriate  
28 authorities in Whitehorse and indicated the site on  
29 the map and got their willing agreement to divert the  
30 road around the site. So I went back to I guess it was



1 Toronto at that time and returned in the spring to find  
2 that the road had gone right across the middle of the  
3 site and torn it up quite seriously.

4 Well I had no reason to quest-  
5 ion the good faith of the people with whom I had talked  
6 and I wondered what had happened, and I asked people  
7 in the village and at least one person had gone out to  
8 give directions to the advancing winter road and the  
9 bulldozer operators who were pushing it through, and  
10 suggested that they cross at one place as had been  
11 agreed and which was indicated on my map. This didn't  
12 happen. The road, the site is not destroyed completely  
13 but it is seriously damaged and there's some kinds of  
14 study that just can't be carried out there because of  
15 this destruction. And the main reason that I would like  
16 to bring this up is that incidental to any kind of  
17 heavy construction, in fact any kind of industrial  
18 activity at all, there is going to be the destruction  
19 of archaeological sites, and it is almost unavoidable.  
20 By accident or by negligence or by whatever reason,  
21 it's going to take place and -- well this is a factor  
22 that needs to be made -- a fact that needs to be made  
23 plainly and bluntly, that if there is to be heavy  
24 construction in this area, then important archaeological  
25 sites will be destroyed.

26 If there is going to be heavy  
27 construction, then there will be some salvage archeo-  
28 logy carried out, that is recovery of archaeological  
29 sites that are known to be in the way of highways or  
30 whatever, before they are destroyed, but this kind of



1 archaeological work is not a substitute for archaeolo-  
2 gical research. It's simply the recovery of information  
3 as quickly as you can without bothering much to think  
4 about it. Well these are simply the views of an  
5 archaeologist on the matter.

6 THE COMMISSIONER: Thank you.

7 MR. VEALE: One further quest-  
8 ion. If you are familiar with where the proposed pipe-  
9 line would cross the Old Crow River, can you indicate  
10 what kind of an area from an archaeological point of  
11 view that is?

12 THE WITNESS: I don't know the  
13 precise crossing, I know approximately the crossing at  
14 Old Crow River, of that route, and I guess closely  
15 enough. It happens to be right across one of my chosen  
16 study areas.

17 THE COMMISSIONER: It happens  
18 to be what?

19 THE WITNESS: Right across  
20 one of our chosen study areas.

21 THE COMMISSIONER: In what  
22 -- what was the word, something study areas?

23 THE WITNESS: One that we have  
24 chosen to concentrate on.

25 Just below the canyon, I  
26 believe, and in the place where there are some preserved  
27 ancient river terraces, which will be helpful in figur-  
28 ing out the chronology of river development and also  
29 the chronology of some of the remains in Old Crow Flats.

30 Whether or not there is





1 significant archaeology on the terraces, I don't yet  
2 know. There is some there, but we don't know how much,  
3 because we just haven't come to that yet. The area  
4 itself is interesting from the point of view of geo-  
5 morphology certainly and archaeology possibly.

6 MR. VEALE: Just to wrap it  
7 up, Dr. Irving you might indicate to Judge Berger, the  
8 involvement that you have had in Old Crow and with the  
9 people of Old Crow in setting up their museum and so  
10 on.

11 THE WITNESS: I'm not sure  
12 how to summarize that. Every time we, every year when  
13 we come here to work, we have as our associates and  
14 in effect colleagues, people from Old Crow working in  
15 our camp and their contribution is one that other  
16 people could not make. Over the course of a few years,  
17 people in the village I think, I like to think, have  
18 become interested in the work that we are doing and  
19 also in its relation to their own history, and there  
20 seems to be increasing interest on the one hand, the  
21 school programs aim toward Loucheux skills and language  
22 and history, and on the other hand, toward setting up  
23 a museum designed, I think primarily for the people  
24 and especially the children of Old Crow, but perhaps  
25 also to some extent for visitors, in which there will  
26 be archaeological and paleontological material and  
27 also some other things.

28 The beginning of that is in  
29 the cases just out there in the hall, and the National  
30 Museum has provided casts of some of the implements



1 that we excavated at Kloo-Kut and I'm sure will provide  
2 more when the facilities for looking after them are made  
3 available.

4 You may have noticed the  
5 muskrat stretchers for sale in the Co-operative store  
6 which were made by the children in the school, and the  
7 proceeds of this production will go toward the support  
8 of the new museum.

9 MR. VEALE: I notice that you  
10 brought a map with you. I wonder if you could tell us  
11 a little bit about that?

12 THE WITNESS: I can do it  
13 with just a trace of hesitation, because it's not  
14 exactly a legal sort of document. It's an informal  
15 compilation of the archaeological sites that we have  
16 located so far. Here are the approximate locations  
17 of the caribou fences that we know about, this will be  
18 changed after this year and each of the dots is an  
19 archaeological site of one kind or another.

20 Now, the thing you notice is  
21 that the sites are concentrated in certain areas.  
22 This does not mean that the people concentrated in  
23 these areas, it means that the archaeologists have  
24 concentrated there, and when all of the archaeology of  
25 the entire region has been done, the distribution of  
26 dots may be significantly different from what you see  
27 now. This is just a very preliminary sort of a map.

28 THE COMMISSIONER: I notice  
29 those caribou fences extend from the Firth River  
30 down to the Flats, across the north side of the Flats



1 and down the east side. Is that a fair summary?

2 THE WITNESS: Yes, and in fact  
3 one of the migration patterns for caribou is somewhat  
4 like that. There are others as well.

5 THE COMMISSIONER: I am going  
6 to try and summarize at least this -- what this map  
7 says, Mr. Sittichinli for the people that don't  
8 speak English?

9 THE INTERPRETER: I was half  
10 sleeping when he was talking.

11 THE COMMISSIONER: Oh. I  
12 guess it can't be done, try it again tomorrow.  
13 I --

14 Mr. Veale, is there anything  
15 further? That you would like to bring out while  
16 Professor Irving is with us?

17 MR. VEALE: I was just wonder-  
18 ing whether this, whether you would be interested in  
19 this map as, a photocopy of it as an exhibit?

20 THE COMMISSIONER: Oh yes,  
21 and I would be interested in the photograph you cir-  
22 culated earlier if you can let us have it, and I would  
23 certainly like us to have a copy of the map too if you  
24 could let us have it.

25 THE WITNESS: I should point  
26 out that it was not made for purposes of this Commis-  
27 sion, and it is just a heuristic sort of thing. With  
28 your permission, I will see if I can arrange to have  
29 an up-dated map prepared and submitted, if that would  
30 be appropriate.





1 THE COMMISSIONER: Fine, and  
2 you could submit it either through Mr. Veale or directly  
3 to the Commission in Yellowknife, and that photograph  
4 that you were good enough to let us have earlier will  
5 be marked as an Exhibit, Miss Hutchinson.

6  
7 (AERIAL PHOTOGRAPH SHOWING CARIBOU FENCES  
8 MARKED AS EXHIBIT C-78)

9  
10 (WITNESS ASIDE)

11  
12 MR. VEALE: I guess that wraps  
13 it up, except for the baseball game.

14 THE COMMISSIONER: Yes, well,  
15 could I just thank you Professor Irving, for coming,  
16 and say that your evidence, when considered together  
17 with that of the older people whom we have heard the  
18 last two days, makes a very fascinating story.

19 Well I think we will adjourn  
20 now, it being after midnight, and we will start again  
21 at 1 o'clock tomorrow and the people who still want to  
22 say something, who haven't had a chance to speak, and  
23 some of those who want to add to what they have already  
24 said, I will be glad to hear from all of you tomorrow  
25 at 1 o'clock.

26 So thank you and good night.

27  
28 (PROCEEDINGS ADJOURNED)  
29  
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